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THE

EDINBURGH REVIEW,

OR

CRITICAL JOURNAL,

FOR

JANUARY—APRIL, 1871.

JUDEX DAMNATUR CUM NOCENS ABSOLVITUR.
PUBLIUS SYRUS.

248794
14/11/30

VOLUME CXXXIII.

AMERICAN EDITION.

NEW YORK:
PUBLISHED BY THE LEONARD SCOTT PUBLISHING COMPANY,
140 FULTON STREET, BETWEEN BROADWAY AND NASSAU STREET.

1871.

S. W. GREEN,
PRINTER, STEREOTYPER, AND BINDER,
16 and 18 Jacob St., N. Y.

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THE

EDINBURGH REVIEW,

NO. CCLXXI.

JANUARY, 1871.

ART. I.—1. *La France nouvelle.* Par M. PREVOST-PARADOL. 8vo. Paris: 1869.
2. *Histoire des Classes rurales en France et de leurs progrès dans l'Égalité civile et la Propriété.* Par HENRI DONIOL. Seconde édition. 8vo. Paris: 1867.
3. *Monsieur Guizot à Messieurs les Membres du Gouvernement de la Défense nationale.* Lisieux: 1er décembre 1870.

THE French Revolution has been, for a period of eighty years, the admiration, the terror, and the wonder of the world. The wisest statesmen, the most eloquent writers, have exhausted the powers of thought and language in the attempt to examine its causes, to describe its progress, and to discover its consequences. Burke, Madame de Staël, and Joseph de Maistre were amongst the first and greatest prophets of this new order of things—prophets of evil as well as of good, conscious that the powers and the wrongs of former times were swept away as by a deluge, but incapable of discerning the ultimate results of the changes they witnessed and foretold. Three generations have passed across the stage of human affairs, but the problem is still unsolved. France has not reached that haven of freedom, good government, and peace which has been the object of so many virtuous aspirations and of so many fierce convulsions. Five dynasties of emperors or kings, and two or three republics have successively been proclaimed, accepted, abandoned, and overthrown within living memory. And, at last, we ourselves, in this our time, are witnesses of the most portentous and disastrous of this long series of calamities. The events passing before our eyes—the total momentary extinction of government in France—the occupation of a large portion of her territory by the forces of a triumphant invader—the annihilation of her armies, which reduced this war to a struggle between a highly organised force and an undisciplined people—the captivity of him who was her supreme ruler, of her marshals, and of her whole military staff—the reduction by famine of impregnable cities and arsenals—the disintegration of several parts of the realm—the unutterable confusion or collapse of her national resources—the strange but total absence of men of high character and authority to deal with events of such unparalleled magnitude—are phenomena which will never cease to occupy the philosopher and historian as long as the world endures. These too are incidents in the great tragedy which commenced in 1789. These are at once the results of former revolutions and the causes of future perturbations. And if it be possible to divert our gaze from the startling occurrences which mark every hour of so great and terrible a spectacle, we would endeavour to take a more comprehensive survey of this vast course of events, and to trace in the operation of the revolutionary principles which were let loose eighty years ago in France the true source of the present social, political, and military condition of that gallant but unfortunate people.

The Revolution of 1789 undoubtedly swept away abuses which had become intolerable—the feudal tenure of land, the privileges of the nobility, the prodigality and arbitrary power of the Court, the corruptions of an opulent and intolerant Church; nor do we think that the destruction of these secular evils was paid for at too high a price, great as that price was.

The Revolution was unjustly accused by its enemies and detractors of having overthrown institutions necessary to the welfare, perhaps even to the existence, of society. The accusation was unjust, because these institutions perished, not so much by the attacks of the Revolution, as by their own vices and weakness: they were rotten before they fell: it was time they should be hewn down and cast into the fire. Nothing could save them, for they could not save themselves. The question we ask relates, therefore, not to what the Revolution destroyed, but to what it has created—not to what it overthrew, but to what it has established. When the work of reconstruction commenced, it was found that the spoliation of the Church and of the great landed proprietors, whose estates had been forced upon the market at a time when there was no money to pay for them, had called into being an immense class of peasant proprietors, whose small holdings have since been further sub-divided by the operation of the Civil Code. It was found that the traditions of hereditary monarchy had received a mortal blow, and that in a country which has never sincerely accepted republican institutions, the succession to the throne has nevertheless in fact become elective. It was found that the aristocracy, deprived of the support and favour of the Court, had no station or authority in the land, but was rather an object of jealousy and hatred. It was found that the destruction of the endowed Church had thrown the functions of the clergy into the hands of a poor and illiterate body of peasant priests, and that the influence of faith and morality had been weakened in proportion to the weakness and incapacity of their representatives in the education of the people. Such were the chief elements of the new social life of the French nation. These elements were successively grasped by military genius which wrung from France the blood of generations, and left her at last exhausted and defeated. They were wrought upon by an unscrupulous and mendacious press; by secret combinations hostile to every established government; by the passion of equality, which means the hatred of rank; by visionary schemes opposed to the laws of property: until by these various causes the national condition of France has become that of a pure social democracy, based, not on the principles of the American constitution of society, but on the destruction of the principal institutions which had hitherto subsisted in European communities.

The question we desire to ask ourselves is, whether this striking change has contributed in the last resort to the power, freedom, and prosperity of France? or whether, on the contrary, the tremendous array of calamities which have fallen upon her, may not be traced to causes inherent in her revolutionary career. In the whole range of modern history, no country has been suddenly brought so near to actual dissolution; no modern armies have ever before been sent wholesale into a Babylonian captivity; no capital of the first rank has seen itself beleaguered by countless enemies, relying for its defence on nothing but the spirit of its own citizens, and exposed to all the horrors of famine and war. Wars and sieges conducted on such a scale remind us of nothing more near to ourselves than the incursions of the barbarians, or the capture of Jerusalem and of Constantinople. Sudden and unexpected as these results are, even by those who have brought them to pass, the causes of them must lie deep. No nation could at once have fallen from such a height to such a depth, if it had not contained within itself some disease, gnawing its most vital parts. No doubt the Imperial Government of the last twenty years bears with justice the immediate responsibility. The Emperor and his Ministers declared war on a frivolous pretext without any means of carrying it on; they deceived the country, and were themselves deceived, in taking credit for resources which their own folly and prodigality had wasted and consumed; and they left France in her hour of utmost need stripped of every rag of authority and cohesion. But the Imperial Government itself was the offspring of the Revolution. It received, not many months ago, a renewed vote of confidence from seven millions of the people. It was the type of a government created by universal suffrage, and irresponsible by virtue of the power which had called it into being. It was, as the late Duc de Broglie said of it with bitterness not long after the *coup d'état* which had sent him to Mazas, 'the government which the lower classes desired and the upper classes deserved.' Detestable as we conceive such a government to be, it had a basis in the revolutionary theory; and until its effects were laid bare by the frightful results of its own incapacity and weakness, it seemed so strong that no other form of government could contend with any semblance of success against it. It continued to the last to prostitute authority, to pervert the judgment of the people, to exclude from office every man of independent character and merit, and to pretend to a strength which it did not possess, for nothing is in truth so weak as absolutism or so timorous

as personal power. But nevertheless it was the chosen government of democratic France, and especially of that portion of the French democracy, the peasantry, which, though narrow-minded, ignorant, and easily duped, is incomparably more honest and attached to the cause of peace and order than the democracy of the large towns. This consideration, therefore, brings us one step nearer to the root of the matter. The fatal consequences of the present war, and the revolution attending it, are attributable to the Government of the Empire; but the Government of the Empire was upheld to the last by the votes and confidence of the dominant power in the French nation. Be it from ignorance, be it from corruption, be it from passion, that these evils have sprung, it is to the constituent body, the only true source of power, that we must look for the source of them. It was the pleasure of the French democracy to be governed absolutely. They dreaded and abhorred a more liberal form of government as tending to anarchy. Experience had taught them the cost of one variety of revolutionary license; they rushed with indiscriminating vehemence into the other extreme; but that too has thrown them into anarchy and completed the circle of misfortune. 'Un popolo uso a vivere sotto un principe,' says Machiavelli, 'se per qualche accidente diventa libero, con difficoltà mantiene la libertà;' and quoting in the next chapter the example of Rome, he adds, 'Il che nacque da quella corruzione che le parti Mariane avevano messa nel popolo, delle quali essendo capo Cesare, potette accecare quella moltitudine ch' ella non conobbe il giogo che da se medesima si metteva in sul collo.'* The inference we draw from these facts is that the dominant power of the French nation has been misplaced by the revolution, and misdirected by universal suffrage; that the classes invested with the franchise were incapable of discerning their true interests; and that the classes by whom the government of the country might have been safely carried on were paralysed and proscribed by numbers. It may be worth while to trace the operation of these causes in greater detail.

Before we proceed, however, to this part of our task, we pause for a moment to point out the striking contrast to the institutions and social condition of France which is to be found in the institutions and social condition of her victorious adversary. The counterpart is complete. If France is the representative of the most advanced form of European democracy, Prussia is the representative of monarchy in its most complete modern organisation. The King of Prussia is not a tyrant or an autocrat, for he governs in strict accordance with the laws of his kingdom; but the law itself emanates for the most part from the royal authority. The Royal House of Prussia is the impersonation of the State and the central force of the nation. For two centuries that family has had the good fortune to produce a series of princes, many of them able and brave, some of them great, but all following with exact uniformity the principles of government, of policy, and of war which have raised their kingdom to its present eminence. They have had the talent and good sense to place themselves at the head of the cause of progress, and though by no means 'liberal' in the sense of a readiness to relinquish any portion of their own regal authority, they have not been slow to adopt every improvement and reform which could increase their own power and ameliorate the condition of the people. In peace and in war they have served their country with extraordinary zea and energy. In their hands monarchy has never been suffered to degenerate into a thing of empty pageants, luxurious indulgences, or ceremonial forms. It stands erect because it is real.

The constitution of the aristocracy in Germany, and especially in Prussia, has never enabled it to exercise a preponderating independent influence in the State. But it has retained, even now, a very strong tradition of the privileges of birth; it stands aloof from the middle classes and the people; and it regards as its sole profession a devoted service of the State and the Crown. The army, more especially, though raised on the broadest principles of national conscription, is officered and led by the upper classes. Large families of noble birth, poor, brave, and loyal, are the natural resource of a military monarchy; and whatever may be thought of the Junkerdom of Berlin in its politics and in its manners, it will not be denied to be an element of strength to the Crown and to the army.

The civil government, which embraces with inconceivable minuteness all the relations of social life, and restrains all freedom of action, is in the hands of a powerful bureaucracy. The representative bodies, more recently introduced in Prussia, have in truth no real control over it. They are not even composed of men capable of carrying it on. On almost all important questions, their wishes and votes have been set aside and trampled on by the Ministers of the Crown with absolute contempt. Of that freedom which consists in the government

* Discorsi sopra Livio, i. 16, 17.

of the nation by the nation, or in obedience to the will of the nation, there is in Prussia no sign, and not even a pretence. Authority subsists in its severest and most naked form.

But the people, naturally docile and submissive to acts which would produce a change of government in England, a revolution in France, and a *pronunciamiento* in Spain, are satisfied that in the long run the policy of the government is enlightened and just. They know that the administration of the public finances is inflexibly honest and frugal. They see that the government has by its zeal in the work of education made them the most instructed people in Europe; and they are perhaps unconscious that this education has so moulded their minds and very being that they are trained to habits of obedience, loyalty, and respect, not common in more democratic communities. Even the popular opinions and prevailing sentiments of the day, encouraged by the press, have been skilfully used by the government to promote the aggrandisement of the monarchy by pursuing objects marked out by national ambition.

There is something of a Spartan character in the institutions of Prussia—the authority of the kings, who are also the commanders of the people—the simplicity and frugality which all ranks have retained in an age of luxury and indulgence—the crushing weight of public authority which shapes everything to its will and extinguishes the individual in the State—and the harsh unamiable manners formed by a life of discipline—belong alike to the ancient and the modern military State; and these characteristics were united to a stronger sense of duty, of moral obligation, and of religion, than could be found amongst the wits and philosophers of volatile Athens. The Lacedæmonians were notoriously the least courteous and hospitable of all the Greek States: art, eloquence, and poetry never flourished on their soil. Training and discipline with a view to regimental preparation and rigid obedience were and are alike the objects of the Spartan and the Prussian lawgivers. Oratory, which plays so great a part in the affairs of more popular States, was and is alike unknown and powerless at Lacedæmon and at Berlin, and the policy of each of these capitals is therefore essentially secret and self-contained. This circumstance gives a rare steadiness to their political action, and engenders a hatred of revolutions. The object of the athletic exercises of the other Grecian States, as it is in England, was excellence in games; the exercises of the Prussians, like those of Sparta, are all directed to war. Lastly, it is possible that the land laws of Lacedæmon may have had purposes and results analogous to the great land reform introduced by Baron von Stein.

A State thus constituted on the strictest dynastic principles is the antithesis of France. Accordingly, Prussia has been the most constant and bitter enemy of the French Revolution. She began the contest of the anti-revolutionary war, which led to results so disastrous to Europe, because at that period France was in all the magnificent energy of her new-born hopes of freedom, and monarchical Europe was in a stage of extreme decrepitude. Prussia more than any other State drank that cup of humiliation to the dregs. It was Prussia who put her hand to the Treaty of Basle, which first made over to France the left bank of the Rhine, since so fiercely contested. It was Prussia that accepted Hanover from the dominator of Europe. She expiated that weakness by Jena, and by seven years of successive suffering from the French occupation. But in those sufferings her regeneration began. The structure of the monarchy and of the army was laid afresh on a broader and stronger basis. When she took the field again in 1813 she commenced a new life. In 1814 her dominions were extended till they touched the frontier of France on its most sensitive and vulnerable point, and she consented to mount guard there, which she has done with effect for more than half a century. And when the attack was rashly, madly, renewed by France, Prussia uprose with all her ancient hatred of her revolutionary neighbour—with a lively recollection of ancient wrongs which have been studiously kept alive in the hearts of the people—and with a strong faith that the time was come when her Sovereign could claim the first rank in Germany and in Europe. The climax and consummation of this great revolution is to be found in the recent act by which the princes of Germany have been led to place the renovated Imperial Crown of Germany on the head of the King of Prussia. Hohenzollern has succeeded Hapsburg. The reluctant vassals of the Empire have acknowledged their own defeat in the celebration of a national triumph. The crown which was refused by the late King when tendered by a democratic assembly in 1849, has been accepted in 1870 as the symbol of military might. It has been purchased by great achievements in war, attended by infinite misery and suffering; and no doubt it is the dearer to the Sovereign who will wear it, as the pledge of the triumph of the monarchical principles of Germany over the democratic armies of France.

Thus, then, while France has during a lengthened period of time undergone a

series of political changes, and been subject to the operation of social causes, which appear to have undermined and diminished her power as a nation, Prussia has been steadily growing under the influence of her monarchy—the supremacy of the reigning House has been raised to the highest pitch; her territories have been greatly extended; her alliances have given her the military command of Southern Germany; her population has largely augmented; her military system and armament have been reformed and carried to perfection; and she finds herself at the head of a people prepared to make enormous sacrifices for the advancement of her political objects. We give Count Bismarck credit for having foreseen these things and their results. It is our deliberate opinion and belief that he has for many years—that is, since the humiliation of Olmütz and the pitiful conduct of Prussia during the Crimean war—had steadily in view the means by which he could gratify the ambition of his country and his own, by raising her to the first rank of European Powers, and by placing the Imperial Crown on his master's head. Such an undertaking involved the overthrow of the Germanic Confederation, the violation of numerous treaties, the destruction of the whole system of the balance of power in Europe, war with Austria, concessions to Russia, defiance of England, and at last a death-struggle with France. It therefore exacted an incalculable sacrifice of human life and property. But the man of 'blood and iron' knew what he meant to do, and he has apparently done it. The end is a great one. But probably no other living man would have had the force of will and the insensibility of conscience to enter upon that blood-stained path. However guilty of recklessness and ambition the French Government may have been in the transactions which were the immediate cause or pretext of the declaration of war, on which we have in our last Number freely expressed our opinion, it can never be denied that the disruption of Europe, the change in the relative position of States, and the final overthrow of the great settlement of 1815, were the results of the policy of Prussia in 1864 and 1866, guided by Count Bismarck, and we do him no injustice by supposing that he desired and intended them, and was prepared to pay the cost of them. The passions of men are, after all, but the blind instruments of the Providential government of mankind. The spectacle of human misery and helplessness would be too dreadful, but for the belief that even the crimes of nations are working to some beneficent, though unseen, end; and that there is a plan in the ultimate conduct of human affairs, infinitely more vast and just than the schemes of statesmen and the tactics of successful war.

Count Bismarck undoubtedly foresaw in 1866 the relative inferiority of Austria to Prussia in military strength, especially when attacked at once on the Elbe and on the Po; and in this respect he showed a degree of penetration shared by few persons in Europe. Did he in 1870 entertain a similar belief as to the relative strength of Prussia, aided by the South German States, and of France? That is a question to which at present no answer can be given; but it is not impossible that he may have arrived at a similar conclusion. He knew the strength of the German armies; he probably had information that the French could not place above half that number of troops at once on the frontier, and that the French reserves under the law of 1868 were not organised. He knew the character of the Emperor, the weakness of his Government, and the absence of high military talent in the army. But in addition to these personal and military considerations, there are numerous facts and arguments arising out of the condition of France herself, which might perhaps suggest the same conclusion to a man of more than common powers of discernment. To these, as they appear to us to be displayed by the unexampled and unforeseen events of the last few months, we now return, and they are the more interesting as they raise questions of general application to the interests of society in other countries at the present day.

It has been said, and the fact will hardly be disputed, that the strong monarchical constitution of Prussia is one great element of her power. Hereditary kingship is as sacred and as valuable in the eyes of the Prussians, as if her princes came of the divine race of the Heracleids. In France, hereditary monarchy, by which we mean the indefeasible right of the head of the State to rule by descent, and to transmit his power to his next heir, perished on the scaffold with Louis XVI. Attempts have been made by each succeeding government to revive it. But these have in fact failed. No French sovereign, except Charles X., has taken the crown by succession since the commencement of the Revolution; and the right of succession, though constantly acknowledged by the law, has been so often set aside by revolutions, that no reliance can be placed upon it. 'I cannot forget,' said Napoleon III. to Lord Clarendon on the birth of his son in the Tuileries in 1856, 'that no prince born in

this house has succeeded his father on the throne.' In fact, the duration of a dynasty in France is from fifteen to twenty years.

What, then, is the true value of hereditary monarchy? Does it conduce to the strength and stability of governments by determining the succession to supreme power, or does it detract from them by the chance of placing that power in incapable hands? The answer of a theoretical reasoner on government might admit of doubt. The answer of practical experience resolves that doubt, and for sufficient reasons. When the succession to the supreme power depends on a popular vote, a legislative preference, or a revolution, the dynastic question is continually paramount to every other consideration in the mind of the ruler. His object is to transmit or perpetuate his power, and to this object the whole policy of his reign is subservient. At any moment the change may occur. At any moment he or his heirs must be prepared to meet it. A king who ascends the throne by even the most legitimate forms of election, as William III. in England or Louis-Philippe in France, must be prepared to deal with large bodies of his own subjects who disputé or detest his authority. The Jacobites conspired against William; the Royalists and Republicans waged a factious opposition against the House of Orleans. Louis Napoleon was elected by a vast majority of the French people; but the minority, consisting of the best, the wisest, and the ablest men in the country, stood aloof from him and his government, and were throughout his reign his irreconcilable enemies. An elective sovereign therefore no longer represents the integrity of his empire. The house is divided against itself. The divisions of party on such a question attack and weaken, not only the administrative functions of the government, but the representative of the State itself. The sovereign therefore regards a portion of his own subjects as his most formidable enemies; and should a crisis of danger occur, which ought to call forth the united action of every citizen, that is the very moment his adversaries or rivals will select to overthrow him. Francis I. after Pavia was not the less King of France in a Spanish prison. Napoleon III. after Sedan is a nameless fugitive in a foreign palace, and the State drifts in total anarchy to the verge of dissolution. The hereditary rights of the Valois were unassailable; those of the Bonapartes are a jest.

Even in the United States of America, where the periodical renewal of the supreme magistrate by election is established by law and peacefully conducted, the presidential election weakens the authority of the State and of the Ruler. It was a presidential election which caused the civil war. Another election ensued in the heat of the contest; the Americans very wisely kept Mr. Lincoln in his place. Every American President is mainly occupied with the desire of procuring his own re-election, or, if his second term of service is nearly over, of procuring the election of one of his adherents. General Grant at this moment is in the former position, and his policy is governed by it. The policy of his opponents is equally governed by the hope of defeating him and taking his place. Hence personal interests largely control and distort public measures. There is now, we are sorry to say, a party in the United States who would not scruple to plunge their country into war with England, if they thought that measure would give them a majority at the next Presidential election. The fault is not so much in the men, as in the vicious institutions which hold out such temptations to faction.

In this country, if by any misfortune the principle of hereditary monarchy were shaken, we have no doubt that the people of England have sufficient experience of freedom and sufficient respect for the law of Parliament to conduct peaceably their own affairs. But the golden bond which holds together the British Empire would be broken. The central force, which makes this nation so great a power in the world, would be dissipated. The symbol, which is recognised alike by the free settlers of Australia and by the dusky natives of Hindostan, would be lost. The outlying realms of British rule would recognise no allegiance to the elected ruler of the English people, who might be good enough for us, but who would be nothing to them. As it is, whatever may be the defects of our political and social institutions, Great Britain may boast that for more than one hundred and eighty years the course of law and the tranquillity of the realm have been unbroken, and that, enjoying as much freedom as any people in the world, she has also enjoyed a degree of internal peace, order, and security to which no other nation can lay claim.

These examples may illustrate the value and the strength of what we mean by the principle of hereditary monarchy; and however seductive the theory of republican election may be to some minds, we defy them to replace it. All other principles of supreme government are contested and contestable, and this especially at the most critical moments. Dynastic law and tradition alone place the representative of the supreme power above every accident except that of the extinction of his race. The French Revo-

lution in striking down the monarchy of a thousand years destroyed the tradition, and it has not been restored. They have substituted for it the ideal of 'France'—and no doubt in a country so homogeneous and so patriotic the name is a name of power. But France not represented by any efficient lawful sovereign, or represented by a committee of declamatory lawyers carried to the Hôtel de Ville by a Parisian mob, is in fact as helpless as an idol of wood or stone. Who speaks with authority in her name? Who controls the passions and interests of her provinces with an equal hand? Who protects her? Who defends her? Who can ever direct aright the course of her policy towards the enemy or the passionate self-sacrifice of her sons? Who can make peace? Who can contract in her name? In nothing is the present contest more fearfully unequal, than in the fact that it lies between the most powerful monarchy of Europe, governed with absolute clear-sighted authority by its king, and a headless State, torn as much by internal dissensions as by foreign invasion. Prussia, too, has had her days of humiliation. After Jena, the king retreated to the Niemen and hardly found a refuge from the oppressor within the verge of his own dominions. But wherever he was, there was the Crown, there was the Sovereign, there was the State. Nothing was irrevocably lost as long as the vital principle of the monarchy was preserved. To France, unhappily, by the results of her revolution that resource is denied; and anarchy, save where it is locally controlled by the wisdom and courage of such men as General Trochu and a few more, presents her defenceless to the enemy and unprovided for the future.

The decline and fall of the French aristocracy, as a political body, dates from a period long anterior to the Revolution of 1789. To find a race of nobles and landed proprietors leading an independent existence on their estates, and playing an independent part in the affairs of their country, we must go back to the sixteenth and seventeenth centuries, and to the time when a large portion of the best blood in France held the Protestant faith. The civil wars, the proscriptions of Richelieu, the bigotry of Louis XIV., and the corrupt court of his successor established the ascendency of the Crown, of the Catholic Church, and of Versailles. That important element in society which, in this country, has so often fought the battles of freedom against the encroachments of prerogative, perished in France; or if it retained its own privileges and possessions, these were rendered odious to the people, because they had ceased to be held for the general good. In the reign of Louis XV. the income of the noble consisted chiefly in the revenue he could draw, under various names and pretences, from those who held under him, not in the shape of rent but of charges on every form of rural labour. His agents harassed the tenants with fiscal rapacity, and were constantly at war with the customs that formerly protected the cultivators of the soil. The landed interest was everywhere poor. Nobles, ecclesiastics, ennobled citizens, and purchasers of fiefs were alike overwhelmed with debt. The rate of usury was enormous. Their condition was described by Forbonnais as that of men 'reduced to extreme penury with immense nominal possessions.' Accordingly wherever sales of land could be made, it was purchased with avidity. In 1760 it was computed that a quarter of the soil of France was held by the peasantry, a quarter by the bourgeoisie, two-tenths by the clergy, and three-tenths by the nobles. The subdivision of land was regarded as the best remedy for the deplorable condition of the country, and the creation of a peasant proprietary was already advocated as the panacea of the nation. D'Argenson, for instance, in a work published in 1740, which Voltaire described as the best book he had read for twenty years, insisted upon the expedient of 'reconstructing the edifice of society, shaken by bad laws, by the creation of a class of individuals who should be morally and economically independent.' His ideal was that the land should belong to those who cultivated it. We shall see in another page of this inquiry, what are the political and military results of this system. Suffice it here to say that it was loudly demanded at the outset of the Revolution by all classes of the community; that the nobles themselves abandoned their feudal rights as untenable; and that the change of tenures was accomplished. To this hour, this is the result of the Revolution which is most loudly applauded by French writers of the greatest learning and authority, as for example, by M. Doniol, from whose instructive history of the rural classes in France we have borrowed the foregoing facts. It is equally admired by those English writers who seek in the democracy of France the model of the reforms they desire to introduce in this country in the tenure of property and the organisation of society. We may, therefore, assume that this state of things is regarded as highly beneficial, and so undoubtedly it has proved in the improvement of the condition of the peasantry, when liberated from feudal burdens, which have happily no parallel amongst ourselves. But our object at this moment is to point out, as a simple fact, that the change involved the

extinction of the social and political influence of the upper classes; for the abuses of the feudal tenures and the vices of an aristocracy, identified by its sources of revenue and its habits of expenditure with the court, had engendered throughout France a fierce hatred of social inequality, which has gone on increasing to this day, though the causes in which it originated have long disappeared. The services, therefore, which may be rendered to a nation by a class of educated proprietors and capitalists, by the performance of the public duties of their station, by the improvement of cultivation and rural administration, and by the local influence of men solicitous for the common interest of those around them, are in a great measure lost to France. There is no 'public spirit,' to use a most emphatic and characteristically English term. Even on the larger estates in the hands of those who are capable of discharging the duties of a resident gentry, the good offices of the wealthy are regarded with suspicion and hostility, as great perhaps as when those duties wore the invidious shape of feudal privileges. The result has been, to a considerable extent, to displace the educated classes from their natural position as the leading servants of the public in local and political affairs. There is a chasm between them and the surrounding peasantry, which is rarely crossed: and the peasantry would certainly refuse to recognise in the gentry the champions or representatives of their own interests.

We think this fact, which is due partly to the spirit of the Revolution and partly to causes anterior to that event, explains in some measure the extraordinary deficiency of men capable of leading, governing, and guiding the nation at this great crisis. That many such men exist in so intelligent a country as France is certain; but their position is singularly unfortunate, for they have been proscribed for the last twenty years by a Government they refused to serve, and they are equally thrust aside by the people. The dead level of equality has passed over their heads, and as none are conspicuous, none great, the country has no tried or natural chiefs and leaders when it most requires them. We have the astonishing fact before our eyes, that at this moment, with the exception of three or four great reputations surviving from the period of Parliamentary government, there is not known to be in France a general, a statesman, or an orator of the first rank. There is not a man on whom the eyes of the whole community rest with the confidence and deference paid elsewhere to high rank, to tried honour, and to genius. Society, and especially the society of the Empire, is barren. Nor is that of the Republic more fertile.

It will no doubt be said that the Revolution of 1789 was singularly prolific of great men. A generation of extraordinary energy burst forth at the call of freedom, and filled the world for fifty years with their exploits and their renown. They sprang alike from every rank and class of society. But the men whom the Revolution called into action were not its children. They had been born, reared, and educated under the old order of things. We have now before us the descendants of the revolutionary period in its third generation—men educated in its maxims and subjected to its social discipline. These are its true descendants and its legitimate heirs. Has then the influence of the Revolution raised or lowered the character and capacity of Frenchmen? Has it enlarged their sphere of action? Has it strengthened those ties between the upper and the lower classes of society, without which national action is paralysed? Has the growth of democracy, to the exclusion of every other element, given greater union, force, and power to the nation and to the State? Down to a very recent period it was believed, and would have been maintained by all French writers, that these results had been attained. But we leave our readers to answer for themselves these questions.

It is a melancholy reflection that but little has been done by modern democracy to dignify and exalt mankind. The area of human happiness has certainly been extended by the diffusion of freedom and knowledge, and we rejoice in that result. But the creative genius and power which enlarge the boundaries of thought and action thrive not upon that level plain 'on which every anthill is a mountain, and every thistle a forest-tree.' Democracy, it may be, bears with it the destiny or the doom of civilisation; but nowhere as yet has it been favourable to greatness. Even in the United States, where it reigns without control, no man since Washington, who was certainly no democrat, can be said to have risen to true eminence, even under the pressure of a great crisis. The growth or manifestation of intellectual force bears no proportion at all to the spread of population and wealth. In like manner, France never was at any former time so populous, so rich in all material gifts, and apparently so prosperous as in last July; but never in all her varied history was she so destitute of greatness, whether in counsel or in arms. The same observation might be addressed to ourselves. Great Britain in 1805 had not half the population, probably not one-fifth of the wealth, and far less

material culture, education, and freedom, than we enjoy at the present day. But we cannot boast that our age is more prolific of great men in statesmanship, war, literature, and science than the first decade of this century; and there are those who think, we trust erroneously, that the relative strength of the nation as compared with that of some foreign States has declined.

The turning point in the history, both of England and in France, lay in the sixteenth century, which gave the one to the Protestant, the other to the Catholic cause—the one to free inquiry, free institutions, and the virility of self-government; the other to the Romish creed ingrafted by a Latin form of civilisation on a Celtic race. Upon a comparison of Catholic and Protestant nations by the test of social development, the advantage does not rest with the older creed; and even though that creed may have lost much of its ancient authority and intolerance, the soil in which it has flourished long gives signs of exhaustion. Nevertheless, the Church of France, the Church of Bossuet and Fénelon, of Pascal and Arnauld, of Port-Royal and Saint-Maur, fills a glorious and imperishable page in the annals of that nation and of the human race. The Gallican clergy maintained their rights against the Ultramontane pretensions of Rome. They were the depositories of the learning and the piety of the realm. They upheld with eloquence and fidelity the noble principles of Christian morals in presence of a corrupt Court and a pleasure-loving people; and they discharged with no mean results their important function of the educators of the nation. The Revolution swept all this away. It was impossible to attack the Church, says M. de Tocqueville in one of his letters, without touching every fibre of the State. In losing their endowments they lost their independence. The connexion between the clergy and the higher classes of society was broken. They became a stipendiary priesthood, without the advantages of an establishment and without the energy of free denominations. Their numbers are recruited chiefly from the ranks of the peasantry, who seek in holy orders a means of escape from the conscription, or a means of transferring to the rest of the family another parcel of the patrimonial estate. The modern parochial clergy of France are a virtuous and devout class of men. But they are narrow-minded and ignorant to excess. They are the tools of the most bigoted Ultramontane doctrines, even against the judgment of their own prelates. Their influence is confined to women and devotees, and they have almost entirely lost their control over the higher education of the country. The consequence is that the education of the upper classes of men is strangely divorced from a high system of moral and religious principle, based on the accountability of man to God, and that in place of it a course of secular instruction, regulated by the Imperial University, and based chiefly on the exact or natural sciences, has trained the minds and characters of modern Frenchmen. It is not true that the French are an immoral and irreligious people, as is too commonly supposed by those who take their notions of French life and society from the garbage of French literature, the novels of the day. In the towns and cities, and in the army, there is undoubtedly a great laxity of practice, arising from many causes. But we hold very cheap the pretensions of those who thank God they are not as those Sadducees. In the great mass of the rural population there is as much rectitude, chastity, and sobriety as in any other country. But they are a people who have lost their guides. A plain standard of faith and duty is not brought home to their doors and hearths. Their conception of duty is based on notions of filial piety and mutual interest. The sense and love of truth has been painfully weakened among them. They afford a speaking example of what an intelligent people may become when education is severed from religious principles and when the standard of those principles is lowered or obscured.

We make these remarks with diffidence and regret, for it is a most invidious task to comment on the failings of a neighbouring people, when we are conscious how far we ourselves fall short of the highest rule of life. We know how hard it is for education to combat the materialist tendency of the age, the density of population, the pressure of a thousand social ills. But though we fail—as all must fail—to reach the lofty ideal of a Christian people, we are not ashamed to avow our conviction that the greatness of a nation depends in no small degree on the visible standard of faith and duty set before it. Take away the Bible and the activity of the Christian ministry from the people of this island, and what would they become? Yet that is to some extent the condition in which a large proportion of the people of France find themselves. The defects of such a society are precisely those which might be anticipated in a community in which the religious sanction of moral law has lost its power. A recent theological writer * who has investigated with acuteness the causes of the corruption and decay of the Roman people un-

* Irons' Bampton Lectures for 1870, p. 8.

der the Emperors, sums them up in one expressive phrase—the separation of religion and morality. There was religion in Rome, but it was the religion of paganism: there was morality, but it was the morality of philosophers. The two great elements of social law were disunited. Something of the same kind may perhaps be traced in France, and the condition of the country presents obvious and striking resemblances to that with which we are familiar in the pages of Roman historians and Roman satirists.

We have now cursorily noticed the most important of the ancient institutions of France, swept away by the Revolution. Let us proceed to consider what the Revolution has substituted for them. It has conferred upon the people equal civil and political rights extending to universal suffrage, and these are occasionally exercised directly and in the last resort, so as virtually to supersede the representative system. It has established a system of administration, in all departments of government, which derives its strength from the central authority and not from the people. It maintains a large permanent army raised by conscription. It applies to the upper classes a system of education of which the Ecole Polytechnique is the type; and it methodises in a high degree all the other steps of distinction and advancement in life. It encourages small landed property, and discourages large estates, by the operation of the Civil Code in subdividing property. The Civil Code, which is the true root and fertile parent of the democratic social condition of France, limits the testamentary power, and virtually divides a man's property between his offspring in his lifetime, by the indefeasible recognition of their share in it; it renders almost impossible the accumulation of wealth in a family for several generations; it proscribes, prohibits, and defeats all trusts, settlements, entails, and limitations of real and personal property; and it favours the two prevailing passions of the people—the passion for equality and the passion for the acquisition of land. Under the operation of these causes and motives, the soil of France is greatly subdivided. Four or five millions of citizens and their families live by the cultivation of their own parcel of land and in the enjoyment of the political rights connected with it. They form a numerical majority in the State, and as they present an extraordinary degree of uniformity of taste, habit, and opinion throughout France, the probability is that without concert they will all act in the same manner. It was thus that, hating the Republic in 1848, they made Louis Napoleon their candidate, and ratified the *coup d'état* of 1851 by their votes. On broad principles of republican equality and universal suffrage, the peasantry are and ought to be the masters of France; and as they are vehemently opposed to the revolutionary doctrines of the great towns, the rural vote is, of the two, the basis of legality and order. That, however, is all that we can venture to say for it. It has been frequently contended that a peasant proprietary is the best guarantee against wars and revolutions—that they have everything to lose and nothing to gain by such convulsions—and that France ought therefore of all countries to be the most exempt from them. Even so acute an observer as Lord Palmerston remarked during a visit to France he made just before the Revolution of July 1830, that 'there were too many millions of owners of land and funds in France to let it be possible that anything should happen endangering the safety of one property or the other.' A natural inference, but one totally confuted by experience. There is no question that the millions of French proprietors of land and *rentes* detest revolution and dread war. It is equally true that they are nominally invested with supreme power in the State by their votes. Yet they can neither avert revolution nor resist war, nor even, as it seems, oppose a bold front to them when they occur. By all accounts this hapless peasant—this unit of French society—this individual of small possessions and absolute rights, might be a very happy and inoffensive member of society, if the world were always undisturbed; but throw him into perilous and critical circumstances, and he is as chaff before the wind. And this brings us nearer to the causes which appear to us to have contributed to this marvellous collapse of a great people. The action of democratic laws and habits seems to have pulverised and disintegrated the French nation—to have destroyed at once both the strength and cohesion of its elements—and to have given birth to a race of beings too small to deal with great emergencies, and too much divided to combine to meet them.

To render this novel state of things more intelligible to the English reader let us contrast it with the institutions familiar to ourselves. Everything in England is organised to give permanence and perpetuity to the relations of life and property. Property is held by one man under innumerable limitations for the benefit of others not only in the present generation, but in generations to come. Few men dispose absolutely of what they possess, unless it be self-acquired. All the relations of life are based on the prin-

ciple of *interdependence*—all classes, ranks, and individuals are bound each to each by mutual duties. The land is worked by a combination of the labouring man, the farmer, and the landlord. Each of them is indispensable to the other. The labourer draws his wages independent of the variations of prices and seasons; the farmer is enabled to farm 300 acres with his capital, which would not purchase thirty acres of his own; the landlord is the chief capitalist, who in the long run bears the main risk of the adventure. He has his duties to his tenants, duties to his family, duties to the public. The public funds, and all sorts of securities, are held to an immense amount in trust under family settlements, by which the immediate interest and power of the individual are checked and circumscribed by the interests and rights of others. This mutual dependence, which exists with reference to property and its uses, runs through every branch of English social life: it is the basis of our credit: it is the secret of our enormous power of association: it is the breath of public life, for it begets a sense of duty to others on the one hand, and a sense of reliance on others on the other hand.

All this is reversed by the laws, manners, and social institutions of modern France. The Code Civil prohibits all the varied forms of limitation of the right of property. It recognises but one form of property which gives the absolute disposal of it. No man holds anything subject to the claims of another; no man has reversionary or other claims over the possessions of another. One consequence of this state of things, is that although the upper classes of France and America are less rich than those of England, they spend what they have more freely; they have in fact more to spend, because their capital, as well as the income derived from it, is at their own disposal. Just as we see in England that newly-enriched persons spend their money more freely than old territorial families. In the lower classes, the desire to obtain a certain possession is increased by the sense of absolute property in it. But the owner of a small parcel of land becomes selfish and self-contained in proportion to this sense of individual power. The land suffices to maintain and employ himself and his family. If he keep clear of the neighbouring money-lender, he is sole master of it. He owes nothing to the landlord; he asks nothing of the labourer.*

His wants, his desires, and his sympathies are bounded within its limits. No doubt some advantage from this state of society is to be found in the self-reliance and independence it confers. But this advantage must be set off against the indifference it begets to the wants and claims of others. It engenders, therefore, a high degree of selfishness, accompanied by dislike and distrust of everything that interferes with it, and an indifference to more enlarged interests. To give a striking example of the effect of this state of society. The Code Civil, as is well known, compels a man to divide his land and other property equally amongst his children. The French peasant regards the extreme partition of his possessions as an evil only to be avoided by limiting the number of his descendants. He therefore restricts himself to two children. The most imperious of human passions is kept in check by this consideration. The interests of morality suffer; and the numerical strength of the population is stopped in its natural growth by a sordid view of personal interest. The effects of this check to the rural population are sufficiently obvious, and have been pointed out by us on a former occasion. Even the physical growth of the race is stunted by it. It can be arithmetically demonstrated that the conscription drains off the whole natural increase of the country, and the rural population of France is therefore almost stationary. The population of the towns tends, on the contrary, rapidly to increase by the immigration of a certain class of persons from the rural districts.* But this class consists of those who, not being holders of land, and not choosing to accept the condition of agricultural labourers, are driven away by their own families and by the custom of the country to seek employment in towns. They are therefore the most discontented portion of the nation. They readily adopt the loose habits and the loose social theories current amongst French *ouvriers:* they form what is termed

* In the villages of Auvergne where the soil is entirely divided between small proprietors, working on their own land, the last remaining landlords or large holders have been compelled to sell their estates because they find no labourers to cultivate them. With the exception of a few smiths, carpenters, and masons, who are useful to themselves, the peasant proprietors will not allow persons not of their own class to dwell in their villages: the superfluous population, for whom there is no land, are driven away to seek employment in towns.

* In Paris alone this immigration is calculated at three or four hundred thousand men in the last twenty years. Their fate has been singularly unfortunate, for after having laboured with their hands to rebuild the capital of France with unexampled splendour, it has devolved on them to defend it, and probably a considerable number of them will be found to have perished in the siege of Paris.

the *prolétariat* of France, and having no stake in the country and no interest in maintaining its institutions, they readily become the turbulent partisans of republican, and even revolutionary, principles. It is amongst this class alone that the republic has any hold: by the mass of the people it is not only not desired, but dreaded and abhorred. Yet these are sufficiently numerous and powerful in the towns to overthrow many an established authority, and to make the establishment of a stable and free government a task of great difficulty. The democracy of the provinces is conservative. The democracy of the towns is destructive. But these opposite results arise from the same cause—an intensely selfish interest.

This selfishness of the small proprietor has been described by the best writers as *individualism*. Individual property, individual independence, individual gain, is the basis of democratic institutions. Let anyone observe an assembly of French peasants on a market-day. All equal, all alike, all sharing one class of interests and passions, intolerant to excess of any superiority of intelligence, wealth, or power, they resemble the atoms of which a floating mass may be composed. In ordinary times their lives are industrious and contented. But they are wholly unprepared to meet an emergency: they are governed by no public spirit or sympathy with public objects.* Beyond their own narrow field of vision, they see and acknowledge nothing but the power of the Government. Such a people is trained to live under an absolute authority; and accordingly, if their opinion is asked on the subject, it is in favour of absolute authority that their votes are given. Should that absolute authority fail in the discharge of the public duties devolved upon it, there is nothing to protect such a people from anarchy or subjugation. The life of man is so short and the powers of a single generation so limited, that it is only by adding together the efforts of several generations and by securing permanence and perpetuity to the results of human labour that great institutions are created. Trusts and settlements which give permanence to family property, endowments, chartered corporations, and hereditary rank, are all legal contrivances for the purpose of securing and perpetuating the benefits of labour and success. They give strength and stability to society by creating interests and powers more lasting and comprehensive than those of the present time. They are to the moral energy of man what mechanism is to force, by preserving and applying what it cannot produce. But to all institutions of this permanent nature, the spirit of democracy is opposed. It views with a jealous and hostile eye everything that it cannot control. It resists permanent and collective obligations as an encroachment on the unlimited personal freedom of the individual. It therefore weakens the traditional elements of society, and readily sacrifices the past and the future to what is supposed to be the interest of the present. By one system men are raised to the power and duration of institutions; by the other institutions are reduced and contracted to the individual weakness of man. Democratic power is an essential and useful check to the abuses of authority, but it is a feeble or violent instrument of government, and the collective strength of a nation may be sensibly diminished by it.

We had already written these remarks, when it occurred to us to turn to a half-forgotten passage in which M. de Tocqueville has described with his wonted sagacity the same distinction, and traced its consequences. The page is so remarkable, and so apposite to the present state of things in France, that at the risk of forfeiting our own credit for originality we transcribe it:—

'Aristocratic institutions have the effect of closely binding every man to several of his fellow-citizens. As in aristocratic communities all the citizens occupy fixed positions, one above the other, the result is that each of them always sees a man above himself whose patronage is necessary to him, and below himself another man whose co-operation he may claim. Men living in aristocratic ages are therefore almost always closely attached to something placed out of their own sphere, and they are often disposed to forget themselves. It is true that in those ages the notion of human fellowship is faint, and that men seldom think of sacrificing themselves for mankind; but they often sacrifice themselves for other men. In democratic ages, on the contrary, when the duties of each individual to the race are much more clear, devoted service to any one man becomes more rare; the bond of human affection is extended, but it is also relaxed. Amongst democratic nations new families are constantly springing up, others are constantly falling away, and all that remain change their condition: the woof of time is every instant broken, and the track of generations effaced. Those who went before are soon forgotten; of

* To cite another illustration from Auvergne. The communal or parish roads in France are made by the commune, which levies so many days' statute labour on its own members for the purpose. In Auvergne the communal roads are detestable, sometimes hardly exist. The reason given is that no man will consent to tax himself for a benefit he would share with his neighbours. The roads made by the State and the Department are, of course, excellent, but they are not in the control of the peasantry.

those who will come after no one has any idea; the interest of man is confined to those in close propinquity to himself. As each class approximates to other classes and intermingles with them, its members become indifferent and as strangers to one another. Aristocracy had made a chain of all the members of the community, from the peasant to the king: democracy breaks that chain and severs every link of it.' (*Democracy in America*, 2d part, 2d book, chap. 2.)

Again, after pointing out that freedom, and the habitual performance of public duties by the power of association, as in the United States, are the only correctives of this selfish individualism and isolation, M. de Tocqueville proceeds, in another chapter:—

'Aristocratic communities always contain amongst a multitude of persons, who by themselves are powerless, a small number of powerful and wealthy citizens, each of whom can achieve great undertakings single-handed. In aristocratic societies men do not need to combine in order to act, because they are strongly held together. Every wealthy and powerful citizen constitutes the head of a permanent and compulsory association, composed of all those who are dependent upon him, or whom he makes subservient to the execution of his designs. Amongst democratic nations, on the contrary, all the citizens are independent and feeble: they can do hardly anything by themselves, and none of them can oblige his fellow-men to lend him their assistance. *They all, therefore, fall into a state of incapacity*, if they do not learn voluntarily to help one another. If men living in democratic countries had no right and no inclination to associate for political purposes, *their independence would be in great jeopardy;* but they might long preserve their wealth and their cultivation: whereas if they never acquired the habit of forming associations in ordinary life, *civilisation itself would be endangered.* A people amongst which individuals should lose the power of achieving great things single-handed, without acquiring the means of producing them by united exertions, *would soon relapse into barbarism.*' (*Democracy in America*, 2d part, 2d book, chap. 5.)

This last sentence states with admirable precision the whole pith of our own argument.

Unhappily, but not unexpectedly, it was in these *débris* of the French Revolution, and amongst a people upon which democracy had exerted all its disintegrating power, without the correcting influence of freedom and self-government, that Imperialism struck root. And Imperialism as it was understood and practised by the late Sovereign of France, aggravated all the evils of democracy and indeed lived upon them. The nation sank under the influence of a corrupt personal Government, which became the sole depository of power, and promised the people in exchange unbounded material prosperity. The press was fettered. The right of association for political objects was denied. Even the material progress of the country was purchased at the price of higher interests and proved a perishable commodity, and (to quote another phrase of M. de Tocqueville) 'the more enfeebled and incompetent the citizens became, the more active the Government was rendered, in order that society at large may execute what individuals can no longer accomplish.' There lay the delusion. There can be no strength in a Government other than the strength of the nation; and if the nation sinks in energy, morality, and independence, sooner or later the Government must share the same fate.

No example of this truth can be more striking than the condition of the French army at the outset of the war, for the army is the youthful strength of the nation, trained by the Government itself and under its immediate control. We are certain that the peasant population of France had no desire for war. They knew the price of it too well, and all their interests and tastes were opposed to it. If a *plébiscite* could have been taken on the question the votes would have been ten to one for peace. But they were powerless even to make known their opinions; utterly powerless to check the Government in its course. The Emperor appears to have supposed (perhaps erroneously) that the army did wish for war and was prepared for it. The warning voice which had come from the ranks in the last *plébiscite* had startled and alarmed him. But even the army was infected by the disease which had struck so deep into the community—no respect, no power of combination, no discipline, luxury among the officers, discontent among the soldiers, most of whom were longing to return to their parental fields. Taken from the population, the army shared the peculiar feelings of the population and its military character was decomposed by them. In no other manner can we account for the unexampled spectacle of the rapid dissolution, after two or three indecisive battles, of large bodies of disciplined troops.

The world saw in 1794 of what might be capable an army, hastily raised, but burning with the fire of revolutionary patriotism and hurled against the antiquated battalions of Germany. But nothing differs more from that enthusiastic and victorious levy than the late army of France, raised by the conscription from a people intent on their own interests, relaxed by a long peace, trained in

part by irregular warfare against the tribes of Africa, officered by men who owed everything to their military rank and had no social importance. Seniority is, of course, the strict rule of promotion in democratic armies. The consequence was that all the superior officers of the French army were elderly men; their average age was from 60 to 64; the average age of the revolutionary generals of 1794 was 30.*

It was undoubtedly supposed that the natural valour and pugnacity of the French soldier would break forth with an irresistible impetus in face of the enemy on the Rhine. But this expectation was disappointed. The *dynamical* force of the army was wanting. It displayed no power of cohesion; after the first reverses, the defeated corps collapsed into a rabble; acts of astonishing insubordination marked the whole line of march; and at the last extremity both in Sedan and Metz, there was no disposition to adopt the heroic alternative of desperate, and perhaps unavailing resistance. These facts are so much at variance with the past history and character of the French army, that we cannot but infer from them that the social and political condition of the nation had debilitated the army. They appear not to be the same race of men as those valiant conscripts, mere boys, of 1814, who, in numbers not exceeding 40,000, barred the road to Paris against the Allied armies; twice broke the ranks of Blücher; and nearly decided Schwarzenberg to desist from the invasion. All democratic institutions are possessed by an intense energy at their origin and commencement. They are animated by popular enthusiasm and revolutionary power. But when these transitory elements of strength wear off, they have far less of tenacity, perpetuity, and endurance than the institutions of monarchical and aristocratic States. This observation seems to apply to their military as well as to their civil condition. Again, no armies are less likely to be animated by an intense military spirit than those which are raised by conscription from a people of peasant proprietors. Every recruit joins the army by compulsion, not to seek in it the profession of his choice, but in obedience to the law which obliges him to quit his natural position in life for several years, and tears him from the cultivation of his own or his father's homestead. He is therefore a reluctant soldier, and, far from regarding the barrack or the camp as his home, he desires nothing so much as to return to his village. The conduct of the French, both in the field and as prisoners of war, warrants the belief that these feelings had more weight with them than the passion of military glory or even the sense of military duty. The existence of a vast multitude of peasant proprietors is probably beneficial as an element of peace, but it certainly does not augment the military power of the State. No one can doubt that the late reverses of the French armies have inflicted a tremendous blow on the national pride of the people and on their absolute faith in the invincibility of their arms. But this shock does not appear to have called forth a corresponding effort on the part of the population. Everybody has noticed with surprise the surrender of populous towns to small parties of invading horsemen. The enormous lines of communication of the Prussian armies have seldom been assailed. And the travellers who have crossed France during the war have been struck by the submissive acquiescence of the peasantry under a calamity which appeared to them to be irresistible. We know very well what they feel. We can guess the fierce execrations with which they dog the track of the invader. But personal and local interests are powerful restraints on national action. The defence of Paris is heroical, and amongst the gallant chiefs of the Army of the Loire may be reckoned many of the best names of France; but the general attitude of the people has hitherto been that of despair rather than of enthusiasm.

It would be unjust to the Provisional Government of Defence and to the nation, not to admit that prodigious exertions have been made to repel the enemy, not without great hopes of ultimate success. It would be ungracious to criticise their language, or to question the wisdom of their actions, under so many difficulties, when we are perfectly convinced of the sincerity of their patriotism. The remarks we are making are not aimed at any particular person or parties; but at the general tendency and result of that state of society which has obtained the mastery over France by the Revolution. Nothing can more completely illustrate that

* Even in point of numbers it would seem that the armies of modern France have not increased in the same ratio as the population. On the 1st January, 1678, says M. Camille Rousset in his invaluable 'Histoire de Louvois' (vol. ii. p. 477), Louis XIV. had under arms 279,610 men. The population of France probably did not at that time exceed seventeen millions. In 1870, with a population of forty millions, the number of effective French troops in the field was apparently not much greater than it had been nearly two centuries before. It is true that France suffered cruelly from the exhausting levies of Louis XIV.'s wars, and that in the course of his reign the population declined.

tendency than the fact that in a supreme crisis of fate, France finds herself governed by two or three second-rate lawyers, who owe their notoriety to readiness of speech. The country has been fed upon falsehoods, and was never suffered to know the truth until it was too late to act upon it, because there was no man bold or strong enough to tell the truth to the supreme democracy, which shares with absolute kings the privilege of being approached with bated breath and flattered into ruin. To this hour, this poor stricken people is addressed in the language of courtiers, as if its ministers and journalists were its slaves; and it is hard to say who will assume the invidious duty of breaking the spell.

The Government of National Defence in France is represented by two men, General Trochu in Paris and M. Gambetta at Tours. No man has a higher character for personal rectitude and virtue than General Trochu. Unambitious, he has never sought the terrible responsibility which has been thrust upon him; and he could give no greater proof of patriotism than his honest resolution to serve his country and to defend the capital in conjunction with men whose political opinions have nothing in common with his own. Whatever be the result, he is one of the heroes of duty. We doubt not that he has performed a most arduous task with conscientious devotion; but he has shown no signs of the inspiration of military genius, and nothing in his past life had given him any opportunity of displaying it. M. Gambetta is a man of a different mould. He has the energy of revolutionary times. He probably shares the opinion—we think an erroneous one—that the cause of the Revolution was saved in 1794 by the violent measures of the Terrorists; and though we believe him to be entirely free from their execrable indifference to bloodshed, like them he would not hesitate to resort to almost any means of promoting his ends. The Terrorists were men who believed in the strength of violent governments, and who held very cheap the restraint of law. In the name of liberty they claimed to exercise the most arbitrary and unlimited power. This race of politicians is not extinct in France. In some of the great cities they are formidable by numbers, and when the war is over they will still present a formidable obstacle to the re-establishment of a regular government in the country. The first step to the re-establishment of such a government would evidently be the election of a National Assembly, empowered to re-constitute the State on a legal basis. To that measure, however, M. Gambetta is strongly opposed. He has done all he can to induce his colleagues to postpone it. He apparently distrusts his own ability to retain the power, conferred upon him by the mob of Paris, in presence of the representatives of France; and he prefers to exercise, as long as he can, a power which is unlimited because it has no legal character or basis. Nothing can be more absurd or more akin to the conduct of the Republican *commissaires* of the first Republic than M. Gambetta's interference with the military commanders who still remained to France: and his language throughout has been systematically mendacious. The ascendancy of such a man at such a time, who supplies the want of statesmanlike wisdom by declamatory energy, and aspires to be a Danton without the scaffold, is singularly characteristic of the revolutionary state of the country. He too is a child of 1792, destined probably to found as little as his predecessors, and not to equal either their momentary greatness or their unforgotten crimes.

M. Guizot, in whom age does not chill the fervour of patriotism or shake his faith in Parliamentary government, has recently addressed a letter to the members of the Government of National Defence, in which he does ample justice to their exertions to save the country. But he proceeds in these remarkable terms:—

'Beware of illusions: in the present state of affairs, and of yourselves, you are not equal to your task. The present war has, and can have, for us, no other object but peace; and you are doubtless well aware that the country desires peace, when it can be obtained with honour. But the enemy, in order to treat for peace, and the neutral Powers, in order to second us in obtaining it, require to have before them a complete and effective government, with a serious prospect of duration, and one which may be relied on to execute the treaties it may sign. You have neither that strength nor that character. You are an incomplete and provisional power. You have even been obliged, by the investment of Paris, to cut your government in halves—one for Paris, the other for the provinces; and these two fractions of government, materially severed from each other, have not always exhibited the same political aspect, whatever may be their mutual goodwill: the spirit of order predominates in that of Paris; the spirit of concession to disorder in that of the provinces.

'Nor can it be denied that under this government, by reason of its division, the most important questions are decided—resolutions of peace and war, levies of the people, and national loans—by one or two persons without debate, without publicity, and by the sole authority of this or that individual. What is this but another form of personal government, without responsibility subject to the control of

debate, and without any pre-existing securities to the country?

'Evidently nothing but a National Assembly, freely elected by the whole country, can put an end to a state of things so imperfect, so irregular, so precarious. Such an assembly can alone, by its debates and its decisions, realise and cover at the same time the responsibility of those who are in power, and give the government the union, the support, and the strength which it requires—requires at home and abroad, for peace and for war. What is now desired, what is now demanded of the Republic, as it was formerly demanded of the Constitutional Monarchy, is the government of the nation by the nation. No negotiation can be carried on without it. Where, but in a National Assembly, capable of transporting itself to any part of the territory and causing the influence of its presence and the sound of its voice to be everywhere felt and heard—where else, I say, shall we find that common centre and source of action necessary to give effect to the will of the nation?'

We cordially concur in these sentiments; and we would fain cherish the hope which M. Guizot expresses that such an Assembly will again bring forth from obscurity into light and power those estimable and able men who once formed the nucleus of the Government of France—men who are not fitly described by the name of any dynastic party, but who are at once conservative and liberal, asking nothing of the Government but to restore peace and order, the authority of the law, and a certain measure of freedom. Unhappily, M. Guizot himself admits that this worthy portion of the community has almost always shown itself too timid or too submissive to offer an effectual resistance to those who either trample on liberty in the name of order, or sacrifice order to what they term liberty. The history of the French Revolution has been the history of the conflict of these two extremes. The *juste milieu*, as M. Guizot perseveres in styling his own party, has fared but ill between them. And even now, for the reasons we have given at some length in this article, we entertain but a faint expectation that the moderate and intelligent men of the middle classes will recover strength and energy enough to rescue the country from the grasp of the ignorant and the violent. Yet that is the problem to be solved before France can be restored to permanent peace, prosperity, and freedom.

We shall now leave our readers to draw their own inferences from these phenomena, and to answer as they please the questions —Is not France, as she now exists, the true child, in the third and fourth generation, of the democratic Revolution of 1789? Is not her present failure to be traced to permanent causes, even more than to temporary accidents, which indeed must themselves spring from such causes?

But ere we conclude we cannot but express the profound sorrow with which we witness even the momentary eclipse of the brightest planet in our system. With all the faults of her rulers and the failings of her people, France remains incomparably the most original, ingenious, and vivid of the Continental nations. When we remember what her literature has done for the world in the last three centuries; with what depth of insight and keen edge of discernment she has sounded and dispelled a host of errors; with what sagacity she has pursued every path of scientific research; with what lively skill she has popularised the arts; with what energy she has advocated the liberties of mankind, her conquerors of the hour are no more worthy to be named beside her, than the Macedonians were to rival the glory of Athens. She may indeed have been over-eager to assert a political influence in Europe; but the influence of her language, of her tastes, of her genius, of her sympathies, and even of her manners, reached and will reach from the Tagus to the Volga.

It cannot be forgotten in this country that the joint influence of France and England in the Western Alliance has been for forty years the mainstay of the Liberal cause in Europe. 'Paris,' said Lord Palmerston in one of his happiest moments, 'is the pivot of my foreign policy.' It has been the good fortune of the generation to which we ourselves belong to root out those sentiments of mutual aversion and hostility which had subsisted between the two countries for so many ages. That alone has been by far the greatest and most important fact of this age, for to it we owe, till the present time, the peace of the world and the peace this country still enjoys. In that period of time, a multitude of difficult questions have arisen. They have almost all been solved in the sense desired by the Liberal Government of Great Britain with the active concurrence of France, and without that concurrence we should have found ourselves called upon to withstand alone the policy of the Northern Courts, which has been almost invariably opposed to ours. Thus it was that Belgium was constituted; that by the Quadruple Treaty the succession to the Crowns of Spain and Portugal was fixed in the constitutional line; that Greece was protected against Russian ascendancy; that in South America the River Platte was opened; that the rights of European nations were defended in China by the allied armies, and commerce placed under the guarantee of political

treaties; that peace was restored in Syria; that the great contest against Russia was carried to a successful issue in the Crimea, and the Black Sea neutralised by the Treaty of 1856; that the independence of Italy was established by the arms of France, but with the cordial concurrence and moral support of this country; and that our own commercial relations with France were opened and extended by a Treaty which has been a beacon of free-trade to the world. During the Indian Mutiny, far from taking any unfriendly advantage of our difficulties, France gave her cordial goodwill to us in that battle of civilisation against barbarism. During the American Civil War the identical policy and conduct of the two States was strictly regulated in concert, and in the affair of the 'Trent' France declared promptly and unequivocally in our favour. Nor can we forget in this enumeration, that the two countries have repeatedly expressed in common, though unfortunately in vain, their conviction that the destruction of Polish nationality has been the cause of lasting evils to the best interests of Europe, which are apparent in the politics of the present hour.

Occasional differences of policy have at times arisen. France stood aloof from our Syrian intervention in 1840, and from our proposed Danish policy in 1864; she detached herself from us in the Spanish marriages and the Mexican expedition. We think that in each of these cases she was wrong; but these differences produced no permanent evil results, whereas the acts of joint policy we have just enumerated stand and remain for the benefit of the world. In all of them we have had the active co-operation of France. We have not had the co-operation, or the good wishes, of any other European Power.

It would be the height of ingratitude if we could now forget these mutual services, which do honour alike to the Government of Napoleon III. and to the Governments which preceded him. But there is too much reason to believe that we shall not be allowed to forget that the blow which has struck down France, has deprived England of no inconsiderable part of her influence abroad. The maritime strength of this country, when combined with the military strength of France, had a prestige and a force, which proved fatal to the strongest autocrat of Europe, and were not to be openly resisted by his successors. That fortunate combination is for the present paralysed in one of its limbs, and those who suffered by it are not slow to take advantage of the change. Already the diminution of the force which supported the treaties maintaining the independence of the Ottoman Empire, has been supposed to warrant an arrogant demand to set them aside. It is presumed that public law has lost its authority, since the aid of France can no longer be invoked in support of it; and whatever power Great Britain may put forth in defence of what she conceives to be just and right, she has for the present lost the support of her most efficient ally.

In spite, however, of all that is past, France has still the moral energy to carry on this great contest for national independence. Victory is the prize of those who can make war longest: and if aught of her ancient spirit remains, she will not treat as long as a stranger treads her soil.

ART. II.—1. *The Life of Rossini.* By H. SUTHERLAND EDWARDS. 8vo. London: 1869.

2. *Mémoires de Hector Berlioz; comprenant ses Voyages en Italie, en Allemagne, en Russie, et en Angleterre.* Paris: 1870.

THE biographies and autobiographies of musicians, whether creative or executive, make up a group of books, the interest of which equals, if, indeed, it does not outvie, that of the lives of artists who have passed with the world (and not altogether causelessly) as a more thoughtful and lettered company of men,—the painters. To name only some half dozen among many examples—there are few pleasanter works of their class than Grétry's Memoirs, which, however, are known to have been re-written, if not altogether written, by Marmontel. Even the oppressive heaviness of Dr. Jahn's four volumes cannot extinguish the interest of Mozart's life, with its brilliant opening, its revelations of one of the sweetest and most fascinating natures ever bestowed by good fairies on a genius, and its melancholy close. Canon Schmidt's biography of Gluck—the Bohemian forester's child, who had to struggle through a life of some sixty years ere his colossal genius expressed itself in that classical yet not austere form, which by its perfection will remain to be a model so long as dramatic music shall exist—is full of character and of anecdotes twenty times told; yet not once too often. Who has not heard of the feuds to which the appearance of Gluck's works at the Grand Opéra of Paris gave rise; of the energetic championship by him of Marie-Antoinette of Austria, his countrywoman; of the heat with which the most bril-

liant wits and encyclopædists marshalled themselves on his side, or against him in favour of his rival, the gentler Piccini? The life of Germany's best song writer—the irregular, uncouth, and magnificently gifted Schubert, whose genius is only now beginning to be understood—by Herr Kreissle von Helborn, translated into English, with wise retrenchments, by Mr. A. Coleridge, is no less rich in pictures of a strange and singular existence. We ourselves reviewed not long ago the romantic career of Carl Maria von Weber. A more individual revelation has hardly ever been put forth than the autobiography of Spohr—that heavy German not without genius; shrewd in observation; untiring in industry, excellent in the desire to gather manifested by him—but portentous in the all-engrossing self-importance, which comfortably restricted his sympathies to his own performances and triumphs. And who is there, whether he be musical or unmusical, that can refrain from referring, with as much affection as admiration, to Mendelssohn's letters, which—even in the mutilated form they must, for the present, wear in publication—can hardly be overpraised as a treasury of wit, wisdom, poetical enthusiasm, pictorial clearness of touch, admirable common sense, and revelations of the healthiest home affections that ever beat in mortal breast? But these can only be adverted to briefly and in passing;—the present task being to offer some notice of a biography and an autobiography, each, after its kind, as peculiar and as vivid as any contained in the library devoted to Art, with its manifold and significant forms of expression.

No greater contrast could be imagined than the works and fortunes of the two musicians here to be considered. Both men made some stir in their world; the one as a real, the other as a self-imagined, man of genius. The life of Rossini, after a few years of early struggle, hardly, it may be, felt as a hardship by him, was a life of as much ease and enjoyment as one poet out of a hundred is privileged or permitted to lead. His singular, almost instinctive, clear-sightedness enabled him to avoid most of the sunken rocks on which, so to say, many gifted men have writhed and perished. His happy temperament, not without a strong tincture of indolence, enhanced every enjoyment which Fame, Love, and Fortune could minister. As we shall see, he knew how to grow old wisely. The life of Berlioz was, from the cradle to the grave, the career of a pretender, passed in a whirlwind of corroding ambition, of fierce defiance and arrogant self-assertion; a life not denied such good chances as belong to a more genuine notoriety, but poisoned by overweening vanity, passing by its exaggeration into cynicism and utter despair. The record of this by himself, besides being a book psychologically curious, is one of painful interest and instruction to any youth about to enter the chequered career of musical effort and creation.

A biography of Rossini, such as shall possess permanent literary value, is a book still to be written. The inflated yet meagre sketch by M. Stendhal, published while the Pesarese master was still in the young freshness and brilliancy of his fame as a composer—the catch-penny pamphlets which have appeared in France and Germany, the silly art-novels of which the composer has been the hero—rather say, the victim—are, one and all, unsatisfactory. The newest attempt, that before us, by Mr. Sutherland Edwards is ambitious in form, but has very little value as indicating research, or shrewdness and delicacy of musical perception. Further, the author has been strangely neglectful in hurrying out his book. The misprints contained in its pages go far to render it valueless to anyone who cannot correct the text, or interleave it with annotations. Meanwhile, the large amount of floating material, existing in the form of anecdote, reminiscence, and correspondence, is well worth the labour of being brought together and sifted. Should this be ever accomplished, the result of the effort will be to place Rossini as a man of genius, generosity, culture, and intelligence, on a pedestal far higher than he can be said, till now, to occupy in public estimation. He was sensual, it is true; brimming with farcical humour; too little scrupulous in administering the comfort of false praise to those who beset him; but that he had strong serious preferences and opinions, a width of special and general knowledge, a wealth of generous sympathy with all true fellow musicians, are truths and characteristics not to be forgotten by any who had the opportunity of approaching him, or the desire of studying him closely in his relations with art and society.

An attempt was made some years since, by the publication of a pedigree, to claim for Rossini the honours, such as they are, of ancestry. One of the Russinis—to follow the old spelling—was governor of Ravenna in the 16th century. The heraldic arms on the family escutcheon are said to have been made up of three stars, a hand holding a rose, and a nightingale; picturesque foreshadowings of the greatness of him who was to ennoble the name. Gioacchino was born, to the humblest of humble fortunes, on the 29th of February, 1792. His father was merely trumpeter to the town of Pesaro in

the Romagna; his mother, who had a beautiful voice, sang in the small local theatres. The two led a precarious, wandering life, to the maintenance of which their boy was expected to contribute. At the early age of seven years he played the part of second, to his father's first, horn in the opera orchestras. At the age of twelve, he was brought under the notice of Professor Tesei, of Bologna, who, for two years, gave him lessons in pianoforte-playing and singing; his voice being then rarely beautiful. When he was fourteen he directed the music for a strolling opera company. In 1807 he returned to Bologna,—there studied composition under Padre Mattei, and added to his knowledge of the pianoforte by making acquaintance with one Prinetti, an eccentric, half-mad professor, who used to sleep at night in the town arcades—propped up against some wall, and who pretended to play the scales with his finger and thumb only; in this the precursor of one Herr Haberbier, whose empirical freaks of the kind amused our London world only a few years ago. In 1808 Rossini was selected, as the best student in the Lyceum, to write the show Cantata annually presented to the public by the establishment. The success of this—a 'Pianto d'Armonia per la Morte d'Orfeo'—led to his appointment as director to the Philharmonic Concerts of the town and to his directing performances of Haydn's 'Creation' and 'Seasons;' and thence to his intimacy with the composer's symphonies and quartetts. Better studies for a modern musician could not be named; since for purity of style, limitless variety of resource, and such total absence of mannerism as provides against—if it do not preclude, imitation—they are unrivalled. Certain biographers of the transcendental or sensational schools, who will have wonders at the expense of truth, have been used to represent Rossini as one of those heaven-born men of genius who owe nothing to culture. If such human creatures there be—an assumption which may be gravely questioned—Rossini, at all events, was not one of the number. He retained everything that he learned, with a memory as tenacious as his readiness of comprehension was quick and piercing. But that his studies had been as sound as they were versatile cannot be doubted.

The first Italian opera produced by Rossini was a trifle in one act, 'La Cambiale di Matrimonio,' given at the Teatro San Mosè of Venice in the year 1810. His last work of the kind was 'Semiramide,' written also for the 'Sea City' in 1823. More than thirty operas were written in the interval, with a rapidity which is all but miraculous, the composer's known indolence of temperament and the excellence of the fruits of his labour considered. He was used to speak of not having been hurried over 'Semiramide!' because it took him only some thirty days to write that opera. It is true that when he was at work for Italy, he availed himself of his right to employ in any new production the best pieces of music which had belonged to his former operas flung out without success; and the pedants and small composers jealous of his fame, on this ground, accused him of having 'written himself out;' a charge brought against every man whose creative genius is prolific;—against Handel the gorgeous and unscrupulous—and, in another time and a less limited world, against Scott, ere one half of the novelist's career was run.

No former thirteen years of musical production for the stage by one man ever yielded so much, to delight, to intoxicate, and to revolutionise the public of Europe as Rossini's operas. The swarm of rival composers, swept away by the force of the new enchantment, looked on it with bitter envy. Only two among them may be said to have stood their ground. One of these was Pacini, who died recently at a patriarchal age, having poured forth hosts of productions in every style and form;—among the last and most ambitious, his Symphony a few years ago written for the solemnity at Florence, when Dante was commemorated and his statue was placed in the Piazza di Santa Croce. The other was Mercadante, still living, whose best works, though more carefully composed than Pacini's, and showing worthier aspirations, rarely rise above a certain ample and stately mediocrity, and whose less good contributions are at once vapid and heavy. Donizetti and Bellini and Signor Verdi belong to another dispensation, if not to a later period. Both Pacini and Mercadante, throughout their long prolific career, traded on Rossini's forms—amplifying or varying them, as Rossini had done in the case of Mosca's and Paër's—but adding little or nothing original to the singer's library.

There are amateurs of all countries still extant who can distinctly remember the commotion caused by the outburst of a genius so audacious and so fascinating as Rossini's. The cant of criticism was in some small degree justified by licenses and slips of the pen which could be cited in his hastily improvised scores; but it was embittered beyond its wont by personal narrowness and envy, not in England only, but also on the Continent. Spiteful and gross attacks against the sorcerer who was turning so

many heads and melting so many hearts —by the pedants and the pedagogues, who ordered their judgments as they had made their works on 'the principle of the pyramid,'—were circulated by the thousand. What did they all avail? The writers only fevered and weakened themselves, and further confused every one's perceptions of what is old and what is new—of right and of wrong—by their forcibly feeble attempts to arrest the course of a triumph which was irresistible. The composer, who could afford to be careless of jealousies in proportion as he was rich in resources, heeded little the heavy noise made by his disappointed contemporaries and his stupid critics,—and went his own way.

What was worse—this wicked impenetrable being, who was driving Dulness and Envy into bilious frenzies, had been endowed also by partial Nature with a handsome presence, a shrewd wit, and that tongue of a charmer, which few women whose world he frequented were able or cared to resist. His gallantries were countless; and, after he had added celebrity to his other fascinations, it may be said without scandal that they were courted wherever he went. He was married twice; his first marriage secured to him an ample competency. *La* Colbran, then reigning as Sultana of the Theatre San Carlo at Naples, had amassed money there. She was a magnificently handsome woman, and is described as having been in her best days a grand and accomplished singer. For her the best and most ambitious of Rossini's Italian operas were written. The money in her purse, and the gains reaped in England during a visit made in the luxurious times of George IV., who distinguished the artist with the most marked courtesies and favours, laid the foundation of a fortune subsequently largely augmented, during Rossini's residence in Paris, by his labours for the Grand Opéra. On the death of Madame Colbran Rossini, the composer married again. Of this marriage, the lady being still living, it would not be decorous to speak; save by calling attention to the confidence and affection confirmed by the composer's testamentary disposition of his fortune. This, on his widow's decease, will, with some exception, ultimately revert to Rossini's native town Pesaro, for the foundation of a music school. It is characteristic that the clause of the will in which the bequest is prescribed, enjoins that the holders of certain endowed scholarships shall be selected and rewarded in proportion as they display instincts for melody.

Trait upon trait could be laid together, anecdote after anecdote told, letter after letter cited, and still the portrait of one of the most representative men of his country and of our time would be left incomplete. One or two marking facts, however, may be put on record. While Rossini was exquisitely alive to the enjoyment of every luxury purchaseable by money, he was anything but greedy of gain. Higher sums have been realised in this country by a single waltz tune, nay, by one of those miserable amateur English ballads, which English artists of worth have dishonoured themselves by singing for hire, than by any one of the operas produced by Rossini before he arrived in Paris. And yet the list of these includes 'Tancredi,' 'Il Barbiere,' 'La Cenerentola,' 'La Donna del Lago,' 'Zelmira' (to our thinking, his Italian masterpiece), 'La Gazza Ladra,' 'Mosè,' 'Otello,' and 'Semiramide.' His physical indolence was as great as his mental activity. His 'Barbiere' was written by him during a few days passed by him, in bed—under pressure and in presence of the artists who were to appear in the opera. Some of his original music is irretrievably lost, including an overture in the Spanish style. This was replaced by the present prelude, which had already done duty in one or two previous operas. Rossini was a keen lover of the pleasures of the table; he cherished the superstitions of the Italian folk, and feared the Evil Eye. He feared railways still more; and when he removed himself for the last time from Italy to Paris, he insisted on being dragged through the long journey in a carriage as safer than and therefore preferable to the new-fangled mode of conveyance. He was at once cultivated and ignorant—petty and noble, sensual yet simple—a man of wonderful acuteness, yet free from disguise; in brief, as brilliant an example of contradictions existing in the same human being as the world has ever seen. Not content with being conversant with the past music of all styles and countries, he was to the last willing, nay eager, to make acquaintance with all that was passing in the world from which he had retired, and he expressed his sympathy or antipathy with a direct clearness there was no misunderstanding. Certain of his opinions recorded were curious examples of prejudice. He was used to speak contemptuously of Bach, as a tiresome fugue writer, little foreseeing, it may be, the painful efforts in that form of composition which he was about to introduce in his last Mass; but he enjoyed and revered Handel. His enthusiasm for Mozart knew no bounds; he appreciated Beethoven and Weber and Mendelssohn as they deserved.

In his intercourse with other musicians, in the assistance of his contemporaries and successors by counsel, sympathy, and time, not seldom wasted on the ungrateful and unworthy, Rossini was shrewd, generous, cordial, and patient. When he was actively engaged in the management of the Italian Opera at Paris, he was resolute in bringing forward Meyerbeer as a stage composer; and, though that astute and unscrupulous Prussian virtually displaced him at the Grand Opéra of Paris, the two men, if not precisely sincere friends, remained on cordial terms so long as their lives lasted. It may be added that Meyerbeer did not repay Rossini's kindness after the fashion recommended by Benjamin Franklin—namely, by giving corresponding encouragement, in his turn, to younger artists. Rossini was prescient, acute, and kindly in doing justice to the brilliant genius of M. Auber. He loved Bellini—the composer who may be said, by the operas 'Sonnambula' and 'Norma,' to have thrust him from the Italian stage—as though the young Sicilian had been his son. Not long before his death he received a letter from one of the hundred new Italian composers whose presumption keeps pace with their impotence, requesting him to accept the dedication of a new 'Barbiere,' and hoping that no offence would be taken at the attempt. To Signor dell' Argine's modest petition the master wrote an answer paternal in its indulgence, fraternal in its courtesy:—acceding to the request, and recalling how, in his own youth, he had ventured to treat the same subject, though that might have been thought occupied and closed by Paisiello's popular opera. It was admirable to see with what an electric readiness Rossini, when an old man, yet not indifferent to the concerns of others, could point out the strong and the weak points in any manuscripts submitted to him; with what justice he could suggest the remedy needed, no matter what the style or the subject of the work. Never was praise more exquisite in its discrimination, never was blame less mortifying in its sincerity, than his.

'For years,' writes a great singer and musician, who has long disappeared from the scene of her successes, 'I enjoyed the inestimable advantage of his friendship—steadily shown to me as an *artiste*—in advice and help. But in this, Rossini was equally generous to all musicians of every nation; and he made so light of these favours that many seemed to forget that they were such. Never was there a man more simple and unaffected in his manners. He was at once quiet and cheerful; as delightful to the young and inexperienced, as to men and women of the world having talents different from his own. His wit and satire, though keen, were so polished as seldom if ever to offend, unless it were the over-pretentious. He had a sweet and equal temper even under provocation, and a gratitude amounting almost to religion, for any favour, great or small, by which he conceived himself to have benefited.'

Of course, acting as Rossini did, from impulse rather than principle, and revelling in the consciousness of humours which might kindle antipathies, this great genius was sometimes unjust in his judgments—too often insincere in his commendations. As an instance of his injustice, he was wont to speak disparagingly of the greatest female dramatic singer of our time—Pasta—dwelling ungenerously on the natural defects which not even her indomitable genius could wholly subdue, and forgetting the splendour of interpretation which she had thrown into his works. There has been no *Tancredi* or *Semiramide* like herself. This prejudice was made all the more unpardonable by the indiscriminate bounty of his toleration. Clamorously beset as he was by all manner of musical empirics and pretenders, and, whether from good nature or from indolence, unwilling to refuse access to anyone, Rossini gave out written praise with a facility unworthy of a real artist and an honest man. He was wont to say in explanation, that none of those whom he addressed—already acquainted with his cypher—could fail to distinguish between such words of course as warrant nothing, and such credentials as indicate real value. But his insincerity bore hard on the poor, self-deceived, pretending creatures, whose belief in the recommendation was as implicit as their after disappointment must necessarily be cruel. A collection of his testimonials would be a curious contribution to the literature of Art—one far more humiliating to the giver than to his recipients. It is sad but true that in no social transactions of daily recurrence are duty and responsibility so unscrupulously overlooked—by men, too, who would recoil with abhorrence from every thought of double-dealing—as in the writing of such false letters of credit.

Thus much of the man. Of the musician and his works it is not easy to speak, owing to what may be called the confusion which marked his artistic life, especially at the time when he was throwing out inspiration after inspiration without effort to meet the wants of the hour. It would be difficult, probably impossible, to draw out a correct and chronological catalogue of Rossini's Italian operas; and the task, if completed, would destroy those theories of ripening and development which critics of a certain order love to

build up and lay hold upon. An instance or two may be given in addition to those already cited. It is known that an early Oratorio, 'Ciro in Babilonia,' furnished a chorus to 'Aurcliano in Palmyra,' which afterwards took the form of *Almaviva's* opening air in 'Il Barbiere.' One of the same forgotten works contained the germ of that stupendous *finale* to 'Moise'—the French 'Mosè,' which, as an example of climax, rising by degrees till a final delirium of excitement is arrived at, stands alone and supreme among a thousand similar pieces of musical effect and passion. Several of Rossini's operas must have died and made no sign, and, in any event, have been inexcusably overlooked by his biographer. Among these was 'Bianca e Faliero,' which, nevertheless, contains a duet in his most stately and florid style, and a quartett with chorus, 'Ciel il mio labbro,' only outdone in vigour and progressive brilliancy by the *finale* from 'Moise,' ust referred to. Of Rossini's *cantatas*, most of them produced on the spur of the moment for some temporary purpose, and the best thoughts of which may have been used later in more substantial works, no complete list exists.

His manner of working has been censured as dishonest and careless, savouring of indolence and contempt of his public. That he appropriated from the works of other composers whatever form or phrase struck his fancy is not to be denied. As has been said, he had no scruple in improving one or two marked rhythmical phrases, first indicated in the overtures of that arch-intriguer Päer. Mosca, a second-rate composer, now entirely forgotten save by the title of one of his operas, 'I due Pretendenti delusi,' used to lay claim to the invention of the *crescendo*, subsequently used to excess in Rossini's operas. But most men prodigal in musical productiveness and rich in their own genius have been thus unscrupulous. Handel's habits of wholesale unblushing appropriation are well known. Mozart, the affluence of whose invention and science is almost unparalleled, could borrow from Gluck's ballet of 'Don Juan' the supernatural music in the cemetery scene of 'Don Giovanni.' Weber has been accused of pillaging a forgotten composer Böhner, who perished in misery and madness brought on by disorderly conduct. The reminiscences, probably unconscious ones, which Mendelssohn's works contain could be numbered by scores. Meyerbeer reproduced 'Paddy Carey,' an Irish national air, in the orgie which closes 'Le Prophète.' Haydn and Beethoven are probably the only two composers that could be named who owed little or no inspiration to anyone save themselves. It is only the narrow-minded, who find it easier to note coincidences of fancy than to comprehend and set forth individualities of style, that can dwell on these admitted truths in a grudging spirit. Let them be made the most of, and the drawback on the glory of the masters of art is too small to be worth counting. There is enough originality in the introductions to Rossini's overtures—such as those to 'L'Italiana,' 'Il Barbiere,' 'La Gazza,' 'Tancredi,' 'Le Siége de Corinthe,' 'Guillaume Tell,' to compensate for all the plagiarisms and appropriations which the bilious and pedantic have magnified into monstrous sins against good faith and true art.

It is to be observed, however, that so soon as a position of settled importance and dignity was insured to Rossini, rescuing him from all the shifts and necessities of a precarious life—so soon as he received his appointment at the Grand Opéra of Paris—he began to finish his compositions with scrupulous self-respect. This his operas 'Le Siége de Corinthe,' a reconsideration of 'Maometto Secondo,' 'Le Comte Ory,' in which the occasional piece written for the coronation of Charles X., and represented by such a galaxy of artists as could not now be gathered were the world of singers ransacked, was adapted and perfected for the stage, his 'Moise,' and, most of all, his 'Guillaume Tell,' attest. None of these new scores are chargeable with borrowed matter. But their maker confided in his special musical genius too arrogantly: he heeded too little what he set—nay, it has been said, he absolutely turned away from subjects in which the dramatist might have shared honours with the musician, and to such a forcible tragedy as 'La Juive'—perhaps the best serious opera book in being—preferred the 'Guillaume Tell' of M. Jouy, in which the inspiriting Swiss legend was only rescued from utter nullity and dulness by the ingenious counsels and suggestions of a refined and poetical opera-singer, Adolphe Nourrit. His habit of mistaken selection is only an expression in another form of the insolence of Catalani's husband, who demanded for the formation of an opera merely 'my wife and five or six puppets.' The music was to supersede the story—to make the acting a matter of secondary interest. In his generation Bellini was—and later, Signor Verdi has been—far wiser and more careful in the selection of their themes for the stage.

During his residence in Paris, though Rossini entirely withdrew from the theatre—whether from pique or self-knowledge it matters little—he amused himself diligently

by composition. One or two of the works thus produced, such as the 'Stabat' and the 'Soirées Napolitaines,' may be included in the list of his best writings. Not so his attempts at pianoforte music; these are flavourless and ineffective, betraying timidity and inexperience. The latest public offering presented during his lifetime was a 'Chant des Titans,' written for the Great Exhibition of Paris and not heard of since. The 'Solemn' or 'Little' Mass, with the strange cynical dedication originally prefixed to it by him—though it was touched and retouched by him during many later years—is somewhat flat and laboured as compared with most of his music. But a like character may be applied to most of the later efforts of men who were originally the most facile and fertile in the production of their ideas. When they have ceased to be spontaneous—when they pause to weigh, to measure, to reconsider—they have too often lost power, without arriving at any solid excellence sufficient to compensate for the weakness of a languid inspiration.

Such are a few among the many characteristics, whether he be considered as an artist or as a man, which distinguished the greatest composer for the musical stage whom Italy has ever produced. The justice of the future will not be wanting to Rossini and to his works, the influence of which has been far wider and deeper than pedants have admitted or superficial admirers have dreamed. Their vogue, for the moment, has largely gone by, because they contain too much of what is sensuous and perishable, and because the conditions of musical execution have changed; but that the Master's fame will last so long as Music lasts, must be admitted by every one who studies the chronicle of art and its achievements with honesty and genial sympathy for everything that is good after its kind.

We have now to turn to as painfully interesting a book as the library of Autobiography contains; and to consider the story of a man's life, told by himself with such an agony of self-exaltation that it is impossible to withhold pity, akin though that be to contempt. There is no want of vivacity in the narrative—but a prevailing want of veracity, such as must always distinguish works professedly written for effect. Like other egotists who have accused themselves of vices in which they indulged at the utmost sparingly, Berlioz had no disinclination to parade the prejudices and the extravagances which marked his feverish career, to blow the trumpet of exaggeration before his own small talents—being, in his own fancy, another Lara, another Childe Harold; one of those chartered beings whose mystical supremacy and power are to strike astonishment into the hearts of men—a musician deriding such old pedants having paunches (the coarse phrase is his, not ours) as Bach and Handel—the superior to Mozart, the equal of Weber, the continuer of Beethoven; a man playing an artist's part who led a stormy, defiant, and not very honourable life, chequered by some flashes of success, corroded by unjustified ambitions and jealousies and violent passions—to be closed in misery pitiable to contemplate—in a death which no one lamented—in a grave which no pilgrim will visit as a shrine.

The key to the unlovely peculiarities and characteristics of Berlioz may be found in the portrait which faces the title-page of these public confessions. In this, as in the well-known likeness of Cowper, may be read, by anyone versed in physiognomy, the signs of mental distemperature, the story of a sword wearing out its scabbard. Were not some such interpretation of the kind to be accepted, the impression produced by this book in respect to its writer would be simply odious.

Hector Berlioz was born in the year 1803 at la Côte-Saint-André, a small town in the department of the Isère. His father was a physician; like many of his profession, a liberal—not to say a free-thinker; a good and just man, somewhat addicted to opium-eating. His mother was a devotee, who did her utmost to train up the boy in the Roman Catholic faith. During the first seven years of his life her prayers appeared to be answered. Her son received impressions of mystic solemnity, not without their sensuous beauty, which never utterly wore out. But a spirit of rebellion soon began to manifest itself. He flung off the yoke of Superstition—he learned what he pleased and how he pleased. Although he was moved to hysterical enthusiasm by certain passages in the classic poets, such as the tragedy of Dido's fate told in the 'Æneid,' his principal delight was in books of travel and wild adventure among savage people, and in shadowing out discoveries and hair-breadth escapes, of which he was to be the hero. But these violent desires and delights were soon to be replaced by others. Before Hector had reached the ripe age of thirteen, the boy imagined himself to be furiously in love with a Mademoiselle Estelle Gautier; and the throes and fevers of this fancy are recorded in paragraphs which have a suspiciously 'false air' of similar confessions by Rousseau and Byron. By this time, however, the stirrings of a more real passion

had made themselves felt within him. His father, who determined that he should be a physician, bribed him to study osteology and anatomy by the somewhat illogical presents of a flageolet, a flute, and later a guitar. But the boy sate up at night secretly to study, without a master, Rameau's treatise on harmony, and to put down notes, as other boys have done before and since, fondly imagining them compositions. No matter; he was to be forced into medicine. His sentimental disgust to all the needful studies and physically revolting experiences which must be mastered ere medical skill is reached, is dwelt on by Berlioz in his most spasmodic manner. We have a right to question its sincerity; observing as we do in later pages of the book, how he may be said to have gloated over details which could have been recorded by no man having within him one touch of human delicacy—one spark of that real reverence with which the anguish of Life and the repose of Death should be regarded. Nothing (to cite one instance) can be imagined more coarsely revolting than the passage describing the exhumation and burial in the same grave of his two wives.—Among other of his collected writings is an attempt at an art-novel, 'Euphonia,' the catastrophe of which is needlessly brutal, and ghastly in no common degree; such as could only have suggested itself to an imagination thoroughly depraved. And yet throughout his autobiography Berlioz parades himself as endowed with the most exquisite impulsiveness of feeling and perception—too nobly sensitive to be happy, or to succeed as the callous herd are content to do.

Berlioz was sent up to Paris to study Physic on a scanty allowance. It was perhaps hoped that the scantiness of the home subsidies on which he was to live and study might prevent the aberrations so sincerely dreaded by his father, so superstitiously by his mother. But the reckoning was as vain as are most reckonings of the kind. Berlioz neglected the dissecting-room for the 'Danaïdes' of Salieri (with Spontini's Bacchanal introduced), and the 'Stratonice' of Méhul, at the Grand Opéra;—where Madame Branchu was singing and Bigottini exhibiting her admirable pantomimic powers. He got access to the library of the Conservatoire, and there devoured the scores of Gluck, for which he had 'an instinctive passion.' The question was presently brought to an issue. The young man would be a musician, not a provincial doctor; and, in spite of the aversion of his relations, succeeded in carrying his point. A fellow-student at the Conservatoire introduced him to Lesueur, with a grand *cantata* written by him as credentials. The French master pointed out the total absence of logical construction and grammatical training in this ambitious essay, and recommended him, with as much patience as kindness, to enter upon a severe and systematic course of study. Berlioz expresses his gratitude, as in duty bound to do, for the gracious intentions of his adviser; but in the very next breath breaks out into a sneering lament over the time wasted by him in learning and unlearning 'antediluvian theories,' and in forcing himself to admire the service-music furnished by the French Court composer to the chapel of the Tuileries. Far easier than to master the precepts of art, and on these to form and found a style of his own, was it for Berlioz to spoil paper by violent pretences at composition. The first of these which came to a hearing was a Mass produced at the Church of Saint-Roch, the worst portions of which (he says) were those the most admired by Lesueur, being imitations of his own weak writing. The Mass failed, says our autobiographer, largely owing to the shameful badness of its performance. He re-wrote and corrected it; resolute to bring it to a second hearing. The news of the failure, however, reached his parents, who taunted him as one having mistaken his vocation, and threatened to stop the supplies. It was necessary to prove them in the wrong by bringing forward the corrected work successfully. But the means were not forthcoming. Acting on a friend's advice, he wrote a petition for assistance to Chateaubriand; who, in courtly phrase, regretted inability to lend either money or countenance. Chance befriended him better in the person of an amateur of noble family, M. Augustin de Pons, who was at that time rich, and who having been present when the Mass was butchered at the Church of Saint-Roch, volunteered to lend its composer the money required to obtain a better result at a second performance. The Mass was repeated and went magnificently—thanks to this timely succour. On looking back, Berlioz candidly confesses in his Memoirs that the music was not worthy of a hearing. The sequel to the misplaced generosity of De Pons was sad. He lost his fortune; and after some years of a struggle for an existence by giving music lessons, committed suicide in the utmost misery. Berlioz endeavoured to serve him, by naming him from time to time in the 'Journal des Débats,' unable, he avers, to do more for his early benefactor. But this was the misfortune of the unhappy being throughout his life. Never was man more munificently

assisted by others, never did artist do less in repayment, by holding out the hand of assistance and sympathy to those of a younger generation.

Another feather in the cap of this turbulent youngster—here set forth with great complacency by himself—was his quarrel with Cherubini, who had just entered on his duties as Director of the Conservatoire, and had there established a system of order eminently necessary to the well-being of that school, which conduced in great measure to its value and excellence as a great European establishment. The Italian was not the most amiable of men; but an enthusiastic neophyte might have endured the strictness in authority of a musician who could write 'Les Deux Journées,' and that grandest of modern classical operas 'Médée.' The anecdote here told only makes the scholar's insolence—not the master's punctiliousness—ridiculous. Berlioz rejoices in detailing the revenges, with which, in after-life, he was able to commemorate this petty quarrel. But from first to last, he was more willing to provoke than to disarm opposition. His father, who bore his absurdities and violences with wonderful patience, was, in the end, disappointed and wearied into leaving him to his own resources. To eke out his scanty means, he took service as a chorus-singer at the Opéra Comique, like many of the chorus there, without a voice.

Passing over many adventures, we may come to the year 1830, when Berlioz made a step forward, by arranging for the July Festival 'La Marseillaise' with a double chorus and huge orchestra. The colossal success of this led to his acquaintance with that strange man Rouget de Lisle. There was a project that the two should lay violent hands on 'Othello,' as the subject of an opera. Having, after four years of competition, at last succeeded in gaining the first prize at the Institut, for a Cantata on the subject of 'Sardanapalus,' Berlioz was condemned to the privilege of two years' residence at Rome. Nothing is more characteristic than his outburst of ignorant sarcasm at the reward for which he had competed, unless it be his account of the first execution of his Cantata, the final scene of which missed fire 'owing to the accursed stupidity' (we are quoting his own words) of the orchestra.—'Sardanapalus,' however, was not to end without an explosion, made by its author, in a fit of sublime rage, throwing his score at the heads of the players—upsetting the music desks, and terrifying Malibran. At a subsequent concert, a second performance went over more correctly. At this the 'Fantastic Symphony' was performed to the great delight of the Abbé Liszt, who attested his admiration by transcribing it for the piano. Satisfied, it would seem, by his success, the Laureate-elect did his best to evade the detested condition of two years' residence in the Eternal City. Like Madame de Staël, he hankered after the kennel of the Rue de Bac. There was nothing to be learned for the musician in Rome. Some one made the same disparaging remark in Mendelssohn's hearing. 'Nothing?'—was his answer. 'There is Rome to be learned?' A proof of the truth of this saying is absolutely to be found in the music of our arrogant Frenchman, whose two best works are the overture to 'Le Carnaval Romain,' and the opera 'Benvenuto Cellini.' That Italy yielded him other inspirations beside these, the 'Romeo and Juliet' symphony, and the opera 'Beatrice and Benedick' remain to attest.

But Paris had other and greater attractions for Berlioz than the Grand Opéra or the library of the Conservatoire. The French capital had been startled out of its wonted indifference to foreign things by the invasion of a company of English actors, who made Shakspeare the rage. At the head of these was Miss Smithson, a handsome woman and a forcible actress, who in England had never arrived at such reputation as was gained by the Kembles and Miss O'Neill, and who may be described as now forgotten here. By one of those chances of fortune, which are described in the adage of a Prophet's honour, Miss Smithson became popular to excess among the French; and our young stage-stricken student conceived the sublime idea of winning and wearing so rare a prize. Berlioz beset this Juliet with advances and protestations in season and out of season,—to the disgust of her guardians and the terror of herself;—made desperate efforts to gain her attention and favour, by offering to her notice performances of his works which even the Parisians had hardly learned to endure, still less to relish. It is true that this all-devouring passion did not prevent its owner from indulging in other amours, the details of which are cynically hinted at by him, as so many pleasing follies of youth. At last, however, no help was to be found. The young Parisian Laureate was compelled to endure the official reward for which he had contended; and set forth to the Eternal City, in a mood of stormy yet sulky resolution, neither to enjoy nor to profit by anything which was to be seen and heard there.

Probably no inmate ever arrived at the Villa Medici so utterly unmanageable and unsympathising as Berlioz. That establishment for beneficed students was then presided over by the good and gifted Horace Ver-

net, whose geniality and refined artistic nature, according to universal testimony, exercised an influence to the benefit of everyone who approached him. Hardly had Berlioz crossed its threshold and run the gauntlet of curiosity and mockery to which every new comer was exposed, than he resolved on returning to France: having been stung into misery by the silence of a certain wicked woman—who had superseded Mademoiselle Estelle and Miss Smithson! To her indifference an outbreak of calumnious accusations and menaces succeeded; and a fit of delirium on the part of the would-be Childe Harold. It was in vain that Horace Vernet condescended to reason with such a madman. Home to France Berlioz would go at the risk of being struck off the list of students. His travelling provision was singular,—including, among other matters, a pair of pistols, poisons in readiness for suicide, and a suit of women's clothes for some undisclosed purpose. Possibly, the tale is in large part a figment; at all events, we are forthwith told how his madness calmed itself, and his gloomy courage oozed out, by the time that he reached the Corniche—how the pilgrim wrote a penitent letter to Vernet begging to be forgiven—how a kind and paternal answer came in due time; and how Berlioz went back to his prison-house,—it is to be hoped, having left on the way his drugs and his feminine gear.

The chapters of these Memoirs devoted to Italy are alike affected in style and empty of matter. He appears to have taken slight pains to profit by his sojourn in the South. With a self-conceit not rare in his countrymen, he disdained mastering the language, or studying the works concerning which he could so complacently deliver his depreciating dicta. He had particular pleasure in decrying Palestrina's music; complaining of its want of innate significance in the fitting of sound to sense; entirely overlooking a fact not to be gainsaid, that one half of all musical expression and meaning of every given sequence of notes lies in their execution;—and that the same identical phrase may be turned to the purposes of joy or sorrow, inasmuch as it is delivered with triumphant boldness or languishing pathos. No more instructive study could present itself than the comparison of his pert and jejune remarks on the Sistine music with those of Mendelssohn, his fellow-student in Rome. Both were struck by the slenderness of its melody; but the young Prussian could delight in it for the sake of its pathetic harmonies, and the wonderful manner in which these were drawn out and enhanced by performances regulated according to the original traditions. The impertinence of the young Frenchman becomes more characteristic when his estimate of his own compositions is taken into account. They are of little or no value (or, to put it otherwise, scarcely comprehensible), he owns, unless he was at hand to direct and animate the performance. Every other conductor who has lent himself to the ungrateful task is either placarded as incompetent or damned with faint praise.

The hated time of reward and exile went over, and at last Berlioz was free to return to Paris, there to commence that struggle with life in which he was only partially victorious. It was complicated by the return of old passions and desires. The glory of the Shakspearian idol whom he had worshipped was now on the wane. The English actress had somewhat declined in public favour; she was heavily in debt; and her situation had been rendered desperate by a serious accident, which precluded the possibility of her again appearing on the stage. It was under these changed circumstances that Berlioz renewed his old offers of marriage to Miss Smithson. This is the one generous transaction of his life. After some hesitation and discussion on the part of her family, his offers were accepted. The marriage, as might have been foreseen, proved ultimately a most unhappy one. The man was moody and violent, incapable of curbing his inclinations in whatever direction they led him. The woman was selfish, jealous, and it has been said, intemperate. For a while, however, they fought on in company. With the view of eking out his resources, Berlioz became a newspaper critic. Such a position must always be perilous to anyone who, besides criticising, desires to create. Nothing in this book is more characteristic than the cynicism of the revelations of Berlioz on the subject. He consented to fulfil an avowedly loathsome task in order to earn money;—as if the calling were not one only to be carried through by severe reference to the standards of truth and duty. That, when thus exercised, it proves one of the least gainful occupations in which literary skill and fancy, borne out by special knowledge, can engage themselves, is sadly true—nor less so that, therefore, there clings to it a perpetual temptation to favouritism and venality, hard to be resisted by any save those whose mental tone and moral standard are high. Berlioz turned his privileges and temptations to account with considerable adroitness. His style was bright, lively, and pungent. His allusions and illustrations were original, if often eccentric; his parade of knowledge was as skilful as if the knowledge had been deep or extensive; his assumption of coura-

geous honesty imposing. He managed to make himself followed and feared, and had no scruples to prevent his misusing the privileges of one in authority. What he suffered in forcing himself to write mystifying reports of musical works which he despised and could not recollect is not, he tells us, to be described. The suffering, it may be suspected, was not fatally keen; at best, degrading to the manhood of him who consented to endure it for lucre. What he gives us to understand is, that the influence which his spirit of caustic mischief or enthusiasm (perhaps both) exercised on the leaders of journals made propitiatory measures necessary. Uncouth and ill-comprehended as his own music was, it was thought advisable to throw sops to Cerberus. Berlioz was commissioned by Government to compose grand compositions for state festivals; by the managers of the Grand Opéra—that centre of admirable theatrical creations—to write for the theatre. How abominably he was treated on both occasions—how the official authorities cheated him of his just gains, and the theatrical managers conspired to make his operas fail—are told by him with a rancour of misrepresentation which is ruefully significant. Impossible was it for one like himself to admit on retrospect that his works had not in them the elements of success; easy to revile and vituperate, though not *in formâ pauperis*. His merit as an artist considered, it may be deliberately asserted that few men have been more generously upheld and considerately treated than himself;—few have made a better market of their pretensions and outcries against the stupidity or injustice of those who refused to appreciate and to praise them.

Most signally was the first of the above assertions illustrated by the exceptionally munificent caprice of Paganini. That singular man of genius, not without a strong intermixture of charlatanry, is reputed to have been generally as miserly as he was skilful in gathering his enormous gains. But after hearing some of the strange, confused compositions of the Frenchman, the Italian attested his admiration with a sincerity past doubt. Hailing Berlioz as the successor and continuer of Beethoven, Paganini placed a large sum of money—twenty thousand francs—at his disposal; a timely succour. That this was not the only act of liberal kindness ministered to Berlioz at critical junctures of his career his own narrative records. But he was throughout more willing to dwell on his troubles and agonies than on good offices for his support and solace.

His professed detestation of the critic's duties has been mentioned, and especially of those which had relation to the Opéra Comique of Paris. A current anecdote, which has never been contradicted, and which, if false, ought to have been indignantly set right by so high-minded a person, throws some light on the matter; besides having reference to one of the decisive transactions of his life. The theatre in question numbered among its artists a certain Mdlle. Recio; by Nature endowed with no requisite for success, beyond that of the eager and sinister beauty of a harpy. She managed to fascinate Berlioz—she clung to him with a desperate closeness, till the death of his wife enabled him to legalize the tie by marrying her. The story as one among a million would not have been worth recalling, save for the sake of the anecdote connected with it, which, as has already been said, was never contradicted. Till her marriage Mdlle. Recio was kept on the list of paid artists at the Opéra Comique, on the express understanding that she was never to sing, and that her protector should do all that his pen could do in praise and support of the theatre and the works given there. Everyone who could be hurt by the exposure is dead; otherwise it would have been withheld.

A word or two more may be said on these criticisms, the shallowness of which is only equalled by their insincerity. Berlioz knew nothing of Bach, nothing of Handel; yet sneered at them magnificently as 'hommes de ventre.' Mozart was to be tolerated as a man who might have written good things, had he not been the slave of conventionalisms. Rossini was long an object of his noble hatred. It would have given the 'marvellous boy' real delight, he assures us, could he, with an infernal machine, have blown up the theatres which were degraded by the abominable triumphs of the Italian. The inevitable counterpoise to these stupid antipathies was an immoderate deification of two composers—the great Gluck; the less great Spontini. Neither could do any wrong; neither would bow to the vile and vain herd of their interpreters. And yet, with a candour which is as cynical as it is inane, Berlioz reminds us how Gluck sanctioned the interpolation of an Italian *bravura* by Bertoni, in his 'Orfeo,' and allowed Gossec to complete his 'Alceste.' It may be questioned whether of the two is the worse—vulgar abuse or vulgar fetichism. The two, however, are bad Dead-sea fruits,—and they grow on the same tree.

With the year 1841 commenced the brightest period of the life of Berlioz—that in which he travelled with his compositions through Germany and Russia. His success in both countries has been appealed to by

his admirers in proof of his sterling merit. But there is nothing in which the influence of tradition has been longer lived than in the impression of German sincerity and superiority in musical judgment. That there must be still something great, true, and real existing in the country of Bach and Handel, and Haydn and Mozart, and Beethoven and Weber, has been maintained as earnestly as if the story of Art were not a story of periods —of rise and glory and decadence; of a Raphael succeeded by a Battoni; of the northern Cathedrals exhausting, it may be said, the romance, fancy, and constructive variety of Gothic architecture, and superseded by a bastard Palladian school calling itself classical. The 'young Germans' have attested their sense, feeling, and knowledge by sneering at the old masters of Art, in favour of the muddy inanities of Schumann, and the presumptuous extravagances of Wagner, whom, by the way, Berlioz criticises with a caustic severity—suspicious to say the least of it, his own practices and performances considered. That the respect for law and order, without which Society becomes a chaos, and Literature and Art drivel and rave, fancying themselves simple or sublime, has been weakened throughout Germany, is a sad and serious truth. It was no wonder, then, that Berlioz should by the destructive party there be regarded as an inspired prophet,—as a new and shining light; and that his productions, aided by his presence, should excite noisy wonderment among those bent, so runs the jargon, on emancipation; that difficulties should be smoothed in his path, and the great ones of the earth should combine to do him honour. That he took no interest in the music of the country ancient or modern, as compared with his own harps and cymbals and drums, is well known. When he was a visitor at Leipzig he made a show of curiosity concerning the choral compositions of Sebastian Bach, which are preserved in the Thomas *Schule* there. They were forwarded for his inspection by Mendelssohn. The packet was returned and with it the judgment of Berlioz. The seals of the packet had not been broken.

The original proofs of Beethoven's C Minor Symphony were in Leipzig during the visit of Berlioz, and examined by him. In these pages it is demonstrated that the excrescence of two bars in the *scherzo*, which has been so much discussed, was simply a printer's oversight—the composer having cancelled them; and allowing, perhaps because of his deafness, their performance to pass without notice. On this excrescence Berlioz had solemnly dilated in print, as a wonderful stroke of genius, worthy of all praise. It is almost needless to add, that he had not the honesty to withdraw his panegyric; even after the error in his *data* had been set before him. So, later, when that greatest work of modern times, Mendelssohn's 'Elijah' was performed in London, Berlioz, who had never heard it before, or heard it after, left the concert-room at the conclusion of the first part, not to return. But he wrote, nevertheless, of the Oratorio.

There is some amusement to be found in his letters devoted to Germany, reporting his successes and his enthusiasms; telling in one place how the hem of his garment was kissed, and in another, how students were suffocated by their adoration, till they were unable to express it. But it is evident that as time went on, these delights palled. It may be conjectured that a gnawing sense of their unreality began to be felt by their object. At all events he became more and more moody and arrogant as years went on —increasingly irritated, his friends tell us, by the slightest question or criticism; closer and more closely wrapped up in the personality, which proved like the garment of Dejanira, a shroud which had within itself distemperature and death.

His last effort of any importance was the completion of his huge opera 'Les Troyens,' the text of which was his own. When it was completed Berlioz wrote a letter to the Emperor of the French, entreating his patronage and interference with the authorities of the Grand Opéra in order to get the work performed, and offering the book of 'Les Troyens' to the inspection of his Imperial Highness. On the failure of this bold measure, that energetic and spirited manager, M. Carvalho, was rash enough to produce the second part of 'Les Troyens,' which is a complete opera in itself, with a lavish expenditure entirely disproportioned to his means. That the opera was carefully and liberally set forth we can bear witness, and it enjoyed what may be called a 'success of curiosity' during a few performances. But with some indications of grandeur and beauty, the score and the story contained too many passages ridiculous, uncouth, and impossible of execution; and to these, of course, Berlioz clung with an infatuated perversity. No paragraphs in this strange book by him are more instinct with vanity and acrimony than those in which he turns on the manager who had risked so much in his behalf, because, after losses such as no theatre can brave, the opera was abandoned. Its unhappy author took this failure terribly to heart; even to the unsettlement of such reason as still remained to him. From the time of the failure of 'Les Troyens' he renounced composition.

On the death of his second wife, he repeated the extravagances of his boyhood, by addressing passionate love-letters to Mde. Estelle, after having for years lost sight of her. That lady—now a grey-haired widow—was naturally more scared than gratified by the rhapsodies of such a suitor, and put them aside with a gentle and womanly pity. Subsequent to this rejection, there was nothing left for the unhappy crazed man. His decay and death were mercifully hastened by an accident; but he was to the last compassionately ministered to, and principally by friends whose patience he had tried to the utmost. The saddest epitaph which can be marked on any gravestone might fitly have been his —'He died unregretted.'

The musical value of Berlioz as a composer has, to our thinking, been sufficiently indicated in the tale which has been condensed from the data furnished by himself. To complete the statement of the case, however, it may be as well to hear himself in the matter. Communicating to a friend, late in his life, that which was intended for publication, and setting himself forth as the victim of envy and misconception,—

'I have had,' he says, 'for many years past, new enemies, owing to the superiority which has been willingly ascribed to me as a conductor of orchestras. The players, by the exceptional talent displayed by them when under my direction, by the warmth of their demonstrations, and by the words which have escaped from them, have in Germany made almost all the orchestral conductors hostile to me. It was for a long time so in Paris. My Memoirs show the strange effects of the jealousy of Habeneck and of M. Girard. So, again, in London, where M. Costa has made an underground fight against me wherever he can plant his foot.'

On the last falsification of the truth we are in case to offer a distinct denial—if the words of Berlioz are to be relied on—having heard him express, and seen expressed most strongly in his hand-writing, his thorough appreciation of the zeal and generous assistance which Sir M. Costa, as a conductor, brought to bear on the production of his 'Benvenuto' at Covent Garden Theatre. Not till after the signal failure of that opera before our public, was the mischance ascribed to the malice of an Italian cabal.

To continue our extracts from this wonderful confession of ability, virtue, and honour:—

'I have had,' says M. Berlioz, 'to fight with a famous phalanx of enemies, as you will admit. Do not let me forget the singers and the solo players, whom I call to order, rudely enough, when they allow themselves irreverent liberties in the interpretation of master-works; nor the envious, who are always ready to be in a rage should anything produce itself with a certain brilliancy. But this life of struggle, this opposition, at the time present reduced within reasonable limits, has a certain charm. I delight, from time to time, to break down a barrier in place of surmounting it. This is the natural effect of my passion for Music—a passion always at white heat, which is never for an instant satisfied. The love of money has never, under any circumstances, been mixed up with this love of art. I have always, on the contrary, been ready and eager to make every kind of sacrifice in my search for beauty, or to protect myself from the contact of certain miserable commonplaces which have been crowned by popularity. . . . I perceive, I have not said anything concerning my manner of writing. . . . In general my style is very bold, but it has not the slightest tendency to destroy any of the constructive elements of art. On the contrary, I seek to increase the number of these. I have never thought, as has been so insanely pretended in France, to make music *without melody*. This school now exists in Germany, and I have a horror of it. It is easy for any one to convince himself that without even confining myself to take a very short melody as theme for a piece of music, as often has been done by the greatest masters, I have always taken pains luxuriously to lavish melodies over my compositions. It may be fair to contest the value of these, their distinction, their novelty, their charm—it is not my place to appreciate these—but to deny their existence, is, I maintain, bad faith or stupidity. Only, seeing that these melodies are often of great dimensions, childish intelligences, with their short sight, cannot clearly distinguish their forms,—or they are married with secondary melodies, which, according to the same childish intelligences, obscure their contours, —or, to conclude, these melodies are so unlike the little absurdities called melodies by musical people, that one cannot give the same nature to both. The most prominent qualities of my music are passionate expression, inner ardour, rhythmical excitement and unexpectedness. When I say passionate expression, this signifies expression in a frenzy to reproduce the inner meaning of the subject, even when the subject is totally without passion, and the matter in hand is to express soft and tender sentiments, or calms the most profound. It is this sort of expression which persons have found in the "Childhood of Christ," and, above all, in the celestial scene of "Faust," and in the "Sanctus" of my "Requiem."'

With regard to the 'Childhood of Christ' a curious anecdote may be told: its author wrote the second part of the work as it stands (the only one of the three which has any value), professedly in ridicule of the melodists, and palmed it off on the public as the work of a forgotten composer. The parody pleased more than any of the earnest efforts of the writer had done. Berlioz then

conceived the idea of extending it, and added what is now the third portion, namely, the arrival of the Holy Child and his parents in Egypt, a luckless example of his worst manner—grim, confused, pretending, and unmelodious—and conceived his work finished. On mentioning it to an acquaintance, the latter suggested that, to complete the subject, the terror from which the fugitives had escaped should be expressed or narrated. Berlioz caught at the suggestion eagerly; and added that which is now the first part, picturing the madness of Herod and the Massacre of the Innocents. The music to this is simply hideous, and conjointly with the peroration, smothers the beautiful and delicate simplicity of the central portion of the Trilogy. It is characteristic that a fact like this should have been omitted; but a like disingenuousness runs through the entire record.

Enough has been said of this book; not too much, because it may possibly find readers and believers among the young and the lawless of all countries, and especially because the disease, which has done far towards destroying a beautiful art in Germany, is spreading among the rising musicians of England. As a body, we are happy to believe and to know that they are far higher and truer in moral tone than Berlioz; but that they are too willing to defend in Art that which is impure and chaotic, specious because it is strange, and easy to produce because small poetic genius is demanded by it, is a fact discouraging to those who conceive progress to mean completion, not destruction. If any are tempted, by the comments here closed, to consider how far health and happiness are insured by such a career as that of Berlioz, we have not written them in vain.

Art. III.—*Reports of the Select Committees on the Public and Private Business of the House of Commons*, 1837, 1848, 1854, 1861.

The House of Commons may be regarded from two separate points of view, and as fulfilling the duties of two different and distinct positions. It may be called, on the one hand, a Deliberative, and on the other, a Legislative Assembly. Under the first aspect, it performs functions varied in their character and degree of importance. At one time, it debates and decides upon matters of national, of European, even of world-wide interest; pronounces upon the policy of a Ministry, and expresses by its vote the tendency of public opinion in the nation which it represents. At another moment, it entertains questions of individual grievance, constitutes itself the Bar before which slighted merit or unappreciated talent may plead their cause, and acts as a mighty and far-reaching Court of Appeal to which every person who feels himself aggrieved, without legal remedy against the aggressor, may fly for succour and sympathy, if only he can succeed in finding some Member of Parliament sufficiently bold and benevolent to advocate his cause. For the due discharge of the functions specially appertaining to its deliberative character, the House of Commons is eminently qualified, and is probably susceptible of little improvement. It possesses a number of members able, and only too willing, to bring fully to its notice every conceivable subject, and to magnify the importance of every topic which they undertake so to introduce. It contains within itself, moreover, those who are qualified to speak with authority upon all the great questions of the day, and men who represent every phase and form of opinion which has any tangible hold upon the country. From the highest down to the most insignificant matter which is deemed worthy to occupy its attention, every question receives the freest and fullest ventilation at the hands of the House of Commons. A British subject cannot be insulted abroad—an inventor cannot be pooh-pooh'd at home—a criminal cannot be executed—nay, a boy cannot be convicted of robbing an orchard or a poacher punished for snaring a rabbit, without the prospect of a Parliamentary debate, and a thorough investigation of the case in all its bearings. No doubt, by means of this appeal, wrongs are sometimes righted and injustice prevented; perhaps, as a still more frequent result, the illusory nature of complaints is exposed, the unsubstantial character of alleged grievances shown, prejudices removed, and the public mind satisfied by the open discussion which has thrown light upon a doubtful subject. At all events, it is a great thing to know that for half the year at least, there is a Court of Appeal sitting for everybody, and that upon all subjects of public interest information may be obtained by interrogatories of Ministers or substantive motions, which during the recess can only be gathered in a less authentic form from the columns of the newspapers.

If, therefore, Parliament existed only for the above-mentioned purposes, there would be little necessity for criticising its forms of procedure and general course of action. But it is in its legislative capacity that grave and

serious complaints must be advanced against it. In a country containing such vast and complicated interests as our own, the work of legislation can never stand still. Subjects after subjects crop up, one upon the other, requiring legislative action; the enactment of new laws is no less necessary, year by year, than the alteration and amendment of existing statutes; and it is with regard to its legislative capacity—its ability to dispose of these subjects promptly and wisely—that our Parliamentary machinery has become sadly out of gear. Not that our legislators can be accused of idleness, as the following ten years' table will exemplify:—

	Public Acts.	Local and Personal Acts.
There were passed in 1861	134	249
,, ,, 1862	114	227
,, ,, 1863	125	238
,, ,, 1864	121	329
,, ,, 1865	127	382
,, ,, 1866	122	363
,, ,, 1867	146	209
,, ,, 1868	130	182
,, ,, 1869	117	159
,, ,, 1870	112	72

The first thought which springs to the mind of anyone who reads this list of legislative results arrived at during the last ten years will probably be the reverse of uncomplimentary to our legislators. Indeed, not only does the amount of labour entailed in the annual passing into law of some 125 Public Bills appear at first sight to be such as should place the labourers above and beyond the censure of criticism, but the question suggests itself whether too much instead of too little may not have been done—whether the principle of 'let well alone' might not have been wisely applied to sundry subjects upon which legislative action has been taken, and the complaint which should in reality be made be directed rather against the over-zeal than the under-performance of the House of Commons. But, paradoxical as it may appear, the very number of Public Bills introduced and passed into law goes to prove the charge. Some of the Bills so passed are of a formal and ordinary nature, annually taken through their several stages without discussion or division. But not a few are Bills solely introduced to amend defects in existing statutes which are almost entirely attributable to the haste with which the original measure has been carried through the House, and to the impossibility of Bills receiving adequate supervision and correction of details at the hands of so large a body as the Committee of the whole House, to whose criticism every Bill is of necessity submitted. Again, there is a class of Bills, many of which would probably either be rejected, or passed in a very different form, if more closely scanned and scrutinised, but which glide easily and quietly through their several stages, simply because they refer to matters which are of interest only to a limited portion of the community, or to subjects little cared for or understood save by their promoters, who forward them by judicious choice of times and seasons, and work them on to the statute book with comparatively little notice from the general body of the House of Commons or the public. These several classes will be found to comprise no inconsiderable number of the Acts passed in any one ordinary session, and will reduce to a comparatively small number those which fairly come under the category of Acts relating to subjects of general and national importance.

But the real criterion of the legislative capacity of the House of Commons is not so much the number of Bills which have been passed with or without discussion, during any given year, as the number which have been introduced and withdrawn for lack of time, and the quantity of subjects upon which legislation has been generally and frequently admitted to be necessary and has yet been again and again postponed from session to session. At the present moment, the amount of promised legislation is something positively appalling. Scarcely a department of the Government which is not pledged up to the eyes, without taking into account those questions of interest which have fallen into the hands of private Members, and will by them be again introduced. There is some faint hope, since the Irish Church and Land Bills have been settled, that Ireland may not require the whole of the energies of Parliament to be devoted to her own special business during the coming session. But Irish education looms darkly in the future, and, whenever it is to be dealt with, will occupy no small portion of legislative time. It can hardly be hoped, moreover, that some amendments or alterations in the Acts lately passed will not be found necessary as time progresses, and these, however trivial, are sure to necessitate discussion. But even should this surmise be wrong, various other Irish questions lurk behind, and 'the Sister Island' will probably be occasionally heard of during the debates of the year. Meanwhile Scotland has been already murmuring, and will murmur still more loudly, unless some attempt is made to deal with the various matters upon which she requires legislation. The 'Parochial Schools' Bill, which the Lords so unkindly knocked on the head at the close of the session of 1869, must, in some form or another, be revived and passed, and the various measures of greater or less importance which successive Lords Advocate have from

time to time announced, but announced only to withdraw, must at length receive attention. England, long-suffering England, meekly advances her claim to legislative consideration in 'the good time coming,' and the questions which concern her interest specially and the interest of the empire generally, are indeed multifarious. Lord Hartington is doubtless devoting the whole of the recess to the elaboration of that great Ballot measure which, it is understood, will form the *pièce de resistance* of the Government during the session of 1871, and is intended to eradicate bribery and intimidation, protect the voters, purify the constituencies, and make a contested election inexpensive and pleasant to everybody. The War Office and the Admiralty will also be expected to be ready with measures which shall provide us with an improved system of defence without an undue addition to the taxation of the country. At any rate, our defences will occupy much of the time of Parliament in the coming session, and both of these great departments will have urgent Bills of their own. The Home Office has enough work on its hands—promised and semi-promised work—to occupy the whole of this and several future sessions. Nor are the Board of Trade and Poor-Law department much behind. Trades' Unions, Pollution of Rivers, Licensing, Turnpikes, Highways, Prison Ministers, Mines Regulation, Game Laws (England and Scotland), Petroleum, County Financial Boards, Local Taxation, Salmon Fisheries, Inclosure of Land, Sanitary Acts, Merchant Shipping Acts' Amendment, Compulsory Pilotage Abolition, Valuation of Property—these are some among many subjects upon which hopes of legislation have been more or less unequivocally held out, and upon most of which Bills have actually been brought in, partially discussed, and defeated for want of time to consider them. We have seen the number of Public Acts passed during the ten years terminating upon the 1st of January, 1871. But the Catalogue of Bills introduced (to say nothing of those promised, but not forthcoming) during the same period will give some idea of the work undertaken and not performed by the House of Commons:—

	Public Bills.	Withdrawn.
There were introduced in the Session 1861	273	139
,, ,, ,, 1862	254	140
,, ,, ,, 1863	278	153
,, ,, ,, 1864	244	123
,, ,, ,, 1865	254	127
,, ,, ,, 1866	260	133
,, ,, ,, 1867	318	172
,, ,, ,, 1868	256	126
,, ,, ,, 1869	267	150
,, ,, ,, 1870	264	152

This is of itself a somewhat astounding catalogue. And when it is considered that some of the Bills withdrawn related to subjects of infinitely greater importance than many which were passed, and that the list of measures postponed for want of time rather increases than diminishes year by year, it becomes apparent that there must be something radically wrong in the machinery of our legislative constitution. Nor is the evil by any means confined to the postponement of useful legislation, or to the passing of imperfect measures whose imperfection necessitates future amendment and the expenditure of more time and labour. The system under which there are annually introduced double the number of Bills which can by any possibility be passed, is one which entails an amount of labour upon our statesmen which the human frame can scarcely stand. In the exercise of their responsibility, Ministers annually decide what measures they will as a Government submit to Parliament, and which are the subjects most urgently requiring legislation. But inasmuch as any Member of Parliament may ask leave to introduce any measure upon any possible subject, and as the custom of the House of Commons and the rule of the House of Lords is to permit any member to 'lay upon the table' and 'read a first time' his Bill, the time and attention of members of the Government are necessarily employed upon a variety of subjects apart from and beyond those upon which they judge legislation to be necessary, and this too when that time and attention are imperatively needed for questions of greater importance.

It is indeed marvellous to see how the health and strength of Ministers endure throughout the trials of a protracted session. With a heavy pressure of departmental work to occupy them during the day, they are expected to be in their places continually throughout the evening sittings of the House, and no mercy is shown them by those 'independent' members who are responsible for most of the late sittings of the assembly which they adorn. That the sittings are late is pretty generally known, but no one who has not carefully watched the proceedings of Parliament is aware of the measure of fatigue which our statesmen have to undergo. The last three sessions tell their own tale:—

	Days.	Number of Divisions.	Divisions after midnight.	Hours sat after midnight.	Average duration of sitting.
				h. m.	h. m.
The House sat in 1868	118	168	30	90 15	7 8
,, ,, 1869	119	160	61	124 15	7 50
,, ,, 1870	120	244	78	130 45	8 13

There are some interesting but alarming conclusions to be drawn from the above table, which embraces, as will be seen, one year of the ante-Reform Bill Parliament, and the two years of the House of Commons elected by household suffrage, which, we were told, was to outshine its predecessors in the amount of hard work which it would perform. From the tables previously given, it will have been discovered that whilst an equal number of Bills has been introduced, a less average number has been passed by our Reformed House. From the present table we gather that our household-suffrage senators keep rather worse hours than those who have gone before them, and that the tendency to late and long sittings has rather increased than diminished. Alas! that there should be yet another reflection to make! The eminently practical men who were to be sent to Parliament by the new constituencies are as fond—or fonder—of talking than those of the unreformed House of Commons. In 1868 the number of members who took part in the debates was 424, and this, be it remembered, was a session in which members, about to face their constituents immediately, were naturally anxious to display their oratorical powers and prove their Parliamentary manhood as much as possible. But the first session of the new Parliament showed an increase of elocutionary ardour, and no less than 462 members shared in the debates. And this brings us to consider the evil which lies at the root of all the mischief in our Parliamentary system, so far as it affects the legislative action of the House of Commons. It may be summed up in one simple but comprehensive word—'Talk':—'There was not so much and such constant talking in the House then as there is now,' says the accomplished biographer of Lord Palmerston in speaking of an earlier day in the history of the House of Commons. 'People did not take up the morning's reports of the debates and again put them down, lost amidst the wilderness of common-place remarks of common-place men on common-place subjects, which in the flattering way it has become the fashion to adopt in speaking of ourselves, we call business-like speaking, but which in reality is for the most part twaddle, and prevents or impedes the transaction of business.'*

Six hundred and fifty-eight gentlemen form much too large and unwieldy a body for the prompt and satisfactory transaction of business under the most favourable circumstances. But six hundred and fifty-eight gentlemen permitted to talk without restraint or limitation upon every subject which comes before them, become a body so unfit for the transaction of business that it is really wonderful how they ever transact any business at all. And the problem remains still to be worked out, whether, without depriving the House of Commons of any of its dignity and efficiency as a deliberative assembly, the talking-power of its members may not be so guided or restrained as to improve its capacity for those legislative functions with which it is intrusted by the nation.

The talkers of the House may be divided into several classes. First, there are the official members, who are obliged to talk, and who must of necessity occupy a portion of the time of the House in explaining and developing the measures which they have to introduce and defend, and in opposing the crude projects and objectionable proposals which are not unfrequently introduced by others. Then, secondly, there are the leading members of the Opposition, the ex-ministers, and a few other men whose age and experience entitle them to be heard upon any subject of general importance. Next we may reckon as a third class certain men who, having been returned by some particular interest, or having some special knowledge of a particular subject, speak only when that subject is under discussion, or the interests of those whom they represent are directly affected. These men are always listened to with respectful attention, and often furnish valuable contributions to the debates of the House. But three classes remain, for whom so much can hardly be said. These are, the aspiring statesmen, the lawyers, and the gossips of the House. By the first designation we would describe those who have really 'taken up' Parliament as a profession, who desire office, and seek to make their desires and qualifications known by oratorical efforts. They are not a very numerous class, and, though sometimes tiresome, are rather to be encouraged than blamed if they would endeavour to divest themselves of their tendency to 'trespass upon the House' somewhat too often. The lawyers are, perhaps, upon the whole, less loquacious than might be expected from men who are talkers by profession, and occupy less of the time of the House than might be feared from their number therein, which is considerable. Nevertheless, they sadly lack the art of condensation in their oratory, and not unfrequently interpose long-winded harangues in debates which could do very well without them. In fact,

* Bulwer's Life of Lord Palmerston, vol. i., p. 78.

if the species attorney may be included in the genus 'lawyer,' there is more than an average amount of garrulity proceeding from this class in the House of Commons. But the gossips are the largest and worst class of all, comprising as they do those who talk for their constituents, those who talk for the pleasure of seeing their speeches (fortunately greatly curtailed) in the morning papers, and those who appear to talk for talking's sake alone. Among this class are men whose vanity seems to lead them to consider themselves an authority upon every subject which comes before the House, and who, if interrupted by expressions of impatience, sometimes turn round and attempt a dignified rebuke to the interrupters, as if it were the latter who were in error in giving effect to the public opinion of the House, instead of themselves who were wasting the time of the country and obstructing the progress of business. Some of these gentlemen are highly respectable, and might properly be included among our third class upon certain subjects, did they not unhappily reduce themselves to the level of the gossiping class by continual interference upon numerous other matters about which they know comparatively little, and upon which nobody wants to hear them. It would be invidious to name any gentleman who is in the habit of offending so often as to be rightly numbered among the 'gossiping' class, especially when we recollect that 'naming' a member of the House of Commons is the last and most terrible penalty which the Speaker is entitled to inflict under the most serious contingencies. But taking from many 'habitual criminals' in this respect, two gentlemen from either side of the House, none of whom have ever occupied an official position, and who are certainly not among the leading orators of the day, we find that—

In 1868.

Mr. A.	addressed	the House	116	times	upon 41	subjects.
,, B.	,,	,,	66	,,	45	,,
,, C.	,,	,,	39	,,	19	,,
,, D.	,,	,,	41	,,	26	,,

In 1869.

Mr. A.	addressed	the House	88	times	upon 30	subjects.
,, B.	,,	,,	61	,,	47	,,
,, C.	,,	,,	47	,,	33	,,
,, D.	,,	,,	55	,,	23	,,

This information, gathered from the veracious record of 'Hansard' (which occasionally omits certain short observations made by a member, but never credits or discredits him with a speech which he has *not* delivered) tells its own tale. These instances are impartially selected, and might easily be multiplied. It is by no means intended to be inferred that the gentlemen in question are the worst of their class, but they are examples of a number of others who have not the virtue of modesty or reticence, nor the faculty which would enable them to perceive that, upon many of the subjects upon which they speak, they do not possess such special or superior knowledge as would justify them in occupying public time by the exercise of their sweet voices. The fact is, that they have unfortunately caught the talking complaint, and have it badly. It must be observed that the speakers upon every subject are by no means always those who know most about it, and those to whom the House would therefore like to listen—such men are often prevented from speaking by the intrusive nature of those of the gossiping class, who love to hear the sound of their own voices, and forget that they are sent to Parliament for other and better purposes than to convert the House of Commons into an arena for egotistical display, and a school for that elocutionary improvement of which most of them certainly stand greatly in need. Of course something must be forgiven on the score of constituents. Some constituencies are dissatisfied unless their representative occasionally shows that there is 'something in him.' But this pressure is greatly overstated and over-rated. Constituencies are wiser than they are said to be, and are generally satisfied if their member speaks when local interests are affected, and votes in the right lobby upon party divisions. The idea that they require to see his name among the daily occupiers of the time of the House is a mistake which, unless fostered and encouraged by the member himself, is rarely to be found among influential constituents, and is easily combated (if it exists) when occasion requires.

Whether or when the House of Commons will come to the determination, or will be forced by the public opinion of the country to put some restraint upon its own talking power, is a question which time alone can decide. Until it does so, its legislative machinery will never work as it should do, and the boast of the Englishman that he belongs to a practical nation will continue to be practically refuted by the conduct of the representative assembly of his country. The time which is wasted in talk is something marvellous to those who regard the House of Commons as a body intended and intending to do the work of the nation. And still more marvellous is the manner in which the House constantly and tacitly allows its time to be thus wasted, and its patience tried by orators neither of the first, second, nor third rank, and sometimes upon subjects the discussion of which can by no possibility lead

to any useful result. Indeed, the only time when a successful attempt to 'put down' a tiresome speaker is ever made occurs at the magic hour when the internal cravings of the legislative stomach overpower the outward politeness and long-enduring patience of the listeners. Even this attempt, however, frequently fails, for if a loquacious bore has only 'brass' enough (and in this they are seldom deficient) he may and does brave the storm, with the certainty that when the hour has once arrived which summons his tormentors to pleasures more enjoyable than the mental delights which he has to offer to them, he or any other of his kind may prose or rant away (whichever it may be) for two good hours without fear of further interruption.

It will here be well to call attention to the regular routine of the House of Commons, its hours of work and rest, and its division of time. The House of Commons assembles at a quarter before four o'clock upon Mondays, Tuesdays, Thursdays, and Fridays, and at twelve o'clock on Wednesdays. On the latter day the sitting terminates at six, and even if a debate be in progress, and an orator in the midst of his speech at a quarter before six, at that instant the Speaker rises, the orator must stop short, and the debate closes for the day, to be resumed whenever its originator can find an opportunity. The length of the sittings upon the four other days of the week is limited only by the pleasure, or powers of endurance, of the House; but at any time when, the attention of the Speaker having been called to the circumstance that there are not forty members present, he, after counting, finds this to be the case, the House immediately stands adjourned, having been (according to the customary phraseology of Parliament) 'counted out.'

At a certain period of the session (which is annually becoming earlier) the above arrangements are departed from, and the House begins the practice of 'morning sittings.' Until the reign of the Disraeli Ministry, these sittings commenced at twelve and lasted till four, at which hour the House adjourned till six, and then resumed business. The ordinary dinner hour of an English gentleman does not occur between the hours of four and six, and the difficulty of procuring at the latter hour the continued attendance of members who were looking forward to their dinner at half-past seven or eight being considerable, Mr. Disraeli initiated a change, which, though much criticised, has certainly proved beneficial. He proposed that the 'morning sittings' should commence at two, last till seven, and the House resume at nine, by which means members of the Government would be able to attend at their offices for a longer time before the sitting of the House, and members generally would find time to eat their dinners in comparative comfort at their usual hour during the temporary adjournment. The only objection to Mr. Disraeli's alteration lies in the occasional difficulty of reassembling forty members so immediately after dinner as nine o'clock, and several unexpected and undesirable 'counts out' have consequently taken place, generally at the instance of some of the non-working members, who delight in such mischievous pranks, and are ready to throw the blame upon the Government afterwards. But the remedy is exceedingly easy for such an evil, for if the House were to pass a standing order forbidding a count out until half-an-hour had elapsed after the recommencement of the sitting, but allowing the sitting to recommence without reference to the number of members present, a 'count' could only occur when, for some reason or another, there was a real indisposition on the part of the House to proceed with business. When we come to consider the remedies which may properly be applied to the defects of the existing system, it will be necessary again to refer to the present hours during which the sittings of the House are held. The first question, however, which requires consideration is the division of time between the Executive Government and the 'independent' portion of the House, because much hinges upon the nature of that division and its practical working. Nominally, Mondays, Thursdays, and Fridays are given to Government; Tuesdays and Wednesdays to independent members; on the former of the two last-mentioned days, 'notices of motions,' on the latter, 'orders of the day' having precedence. But this statement by no means expresses the real state of the case. Complaint is frequently made towards the end of the session, and even before, on the part of 'independent' members, that the Government ask for and obtain the Tuesdays for the purpose of carrying on important debates which have not been concluded upon the Monday, or for the prosecution of some urgent Government business. Moreover, the Leader of the House is frequently pressed to 'give a day' for the consideration of some question of interest which is in the hands of a private member, and the difficulty experienced by the latter class in bringing forward motions and in prosecuting through their several stages Bills under their charge, is the subject of common and frequent complaint. But, in reality, it is the Ministers themselves who

have much reason to complain of their own lack of power to transact Government business, and to push forward measures which they consider to be of urgent necessity. The introduction of the most important measures of the session necessarily falls upon members of the Government, and the greatest difficulties are thrown in their way, owing to the defective arrangements for the transaction of business, backed and aggravated by the unrestrained license of 'talk,' to which allusion has already been made. The arrangement of business in the House is not only defective in depriving those members, official or non-official, who are in charge of measures, of proper facilities for advancing them through their stages, but in rendering it absolutely uncertain whether a Bill or 'motion' which is 'down upon the paper' is actually coming on or not.

Members rise open-mouthed to complain of some unfortunate gentleman who has had his Bill down constantly on the notice paper, and has brought them to the House night after night without proceeding with it. No one, probably, regrets the circumstance more than the individual against whom the complaint is made; it is not he, but the system, which is really to blame. Of course, no perfect system could be devised; that is to say, no system by which, in a large popular assembly, particular business should always be brought on at a certain hour, and every member should be able to fix the exact time at which he would bring forward his Bill or motion. But, if the House so willed it, much might be done to obviate the evils and inconveniences of the present state of things. It has been pointed out, that the Government and the private members have a cross-fire of complaint—the one against the other. The truth is, that whilst the division of the House of Commons' time apparently gives three days to the executive and two to private members, in reality the latter have a much larger, and the former a much smaller, share of time at their disposal. Take, for instance, the session of 1869, in which the Government had even more than its usual share of time, owing to the determination of the House to conclude the Irish Church Bill without driving it over to another year. During that session, after deducting the days occupied in swearing-in members in December, the House sat 111 working days, of which twenty-three were Fridays, forty-five 'Government days' other than Fridays, and forty-three 'private-members'' days. The Government took all, or part of, four Fridays and two Tuesdays for debates upon the Irish Church Bill, giving in return 'facilities' to private members upon several Government days. But not only were the occasions few and far between upon which any progress in 'supply' was made upon a Friday, but, taking the different occasions during the session (Fridays included) upon which the motion was made for the Speaker to leave the chair, in order that the House might resolve itself into Committee of Supply, no fewer than eighty-six different subjects were discussed, at greater or less length, upon the said motion. So that in considering what is the amount of time actually placed at the disposal of the executive Government during the session, it must be taken into account, first, that Fridays have come to be practically considered the property of private members; and, secondly, that a 'supply' night is always liable to be similarly appropriated. Hence it is that the necessity for 'morning sittings' arises, in order that some progress may be made with the business before the House, and that even with this assistance, the stages of different Bills are inconveniently delayed and postponed from day to day, until not unfrequently a measure is lost which would certainly have received the sanction of Parliament had it been possible to have obtained time for its consideration. Moreover, Government is continually reproached by private members for not 'taking up' some subject upon which legislation is necessary. To such reproaches there is but the one, stereotyped reply—'want of time, and pressure of more urgent business.' Everybody appears to be dissatisfied with the present state of confusion, uncertainty, and procrastination, but nobody has the courage to suggest a remedy. Vainly, and unjustly, do aggrieved members attack the Government, never appearing to take into account that their own privileges must of necessity be curtailed if Ministers are to be enabled to bring forward more measures, and to press them with more regularity and greater rapidity. Not that Ministers are by any means free from blame. They are, of course, responsible for the arrangement of the business of the House, and it is to them we must look to take the initiative in making, or at least proposing, salutary reforms. Hitherto, however, not only have they abstained from doing so, but have annually introduced so many measures that the passage of all of them through Parliament was quite impossible.

One would have supposed that, as one result of the 'cabinets,' which commence in November, and are held at intervals through the winter, an understanding would be arrived at between the different departments of the executive as to the number of Bills

which could be introduced with a probability of success, and as to the relative urgency of the subjects which each department had under consideration. Instead of this, however, it would really appear as if there was some jealous rivalry between the different public offices, and that each was anxious to block up the way of the other by the introduction of its own measures. When the 'Massacre of the Innocents' arrives (which is the somewhat irreverent term applied to the withdrawal of numerous Bills occurring towards the end of every session), one cannot but feel a double sorrow—for the loss of certain of the measures themselves, and for the additional loss of valuable time which has been caused by their introduction and discussion, with no reasonable probability of their passing through their several stages before the dispersion of the House at the approach of the inevitable 12th of August. In the session of 1869 more than twenty of the Bills introduced and withdrawn were Government Bills, relating to subjects admitted to require legislation. It must be allowed, either that Ministers were to blame in consuming time by the introduction of so many Bills, for the passing of which they were not prepared to make arrangements, or that the system which prevented such arrangements from being made was in itself faulty and defective. As each session advances, the evils of the system, or want of system, become more glaring—twenty, thirty, forty Bills stand upon the 'orders of the day' for the same sitting, and it is generally impossible to guess, even approximately, the hour at which any particular order may come on for discussion. Indeed, 'outsiders' must regard with astonishment the want of method and precision which characterises the proceedings of the 'First Representative Assembly in the world.'

It must not be supposed, however, that the attention of the House of Commons has never been directed to its own short-comings, or that efforts at improvement have not occasionally been made. Such a supposition would at once be negatived by the reports of no less than four Select Committees which have sat upon the subjects referred to in this article within little more than thirty years. In 1837 a Select Committee sat, 'to consider, whether, by any alteration in the Forms and Proceedings of this House, the Despatch of Public Business can be more effectually promoted.' This Committee, presided over by Mr. Poulett Thomson, made two recommendations to the House, both of which were adopted. They proposed that the practice of moving amendments upon any order of the day (often totally irrelevant to such order) should be abolished, and no amendment permitted, except that 'the other orders of the day, or any particular order, be now read.' They also proposed to limit the power of giving notices in advance, and recommended that 'no notice should be permitted to be placed upon the order book for any day beyond the fourth notice day after the day on which such entry is made.' Both these changes were undoubtedly in the direction of improvement; but the value of the first and most promising has been greatly diminished by the increasing practice of moving amendments of a comparatively trifling nature upon the motion for Supply. Still, so far as they went, the changes were beneficial, and for eleven years the House rested content with this attempt at self-reform.

In 1848 came another and more important attempt. In that year a Select Committee was appointed 'to consider the best means of promoting the Despatch of Public Business in this House,' and upon that committee sat eighteen of the most eminent men of the day. The present Speaker, Mr. Evelyn Denison, was called to the chair, and, after sitting for nine days, a report was presented to the House which will repay perusal. The witnesses called were the then Speaker (now Lord Eversley), Mr. Curtis, of New York (who had been for four years a member of Congress), Mr. Randall, of Philadelphia, and M. Guizot; so that the Committee had an opportunity of comparing the different systems of the American House of Representatives, the French Chamber of Deputies, and the English House of Commons. The report of the Committee commences with a recapitulation of private bill legislation and committee work with which we are not at present concerned, although it may be remarked in passing, that the constant demand upon the energies of members which is created by the large number of public committees annually appointed, together with the requirements of private bill committees in addition, form no inconsiderable part of the labours of a working member of the House of Commons; and as in this, and all other similar cases, it is 'the willing horse that does the work,' it is the best and most useful members — saving always those high officials who are necessarily exempt from committee work—upon whom falls the chief weight of the burden.*

* A 'Select Committee' is at present composed of 15 members, and not unfrequently of 17, or even 21, upon a subject of more than ordinary interest. This number is inconveniently large for the examination of witnesses and transaction of

In fact, the report goes on to remark that 'this great amount of committee business, and the heavy demand it makes on the time of members, must be borne in mind in considering the course of public business in the House itself.' 'Heavy demands,' indeed! as may be believed when it is told, that in the session of 1869 there sat 37 select committees, upon which 258 members served (many of them on two, three, and even a larger number of committees), and 202 private bills were introduced, of which 160 received the Royal assent; whilst in the session of last year 42 select committees sat, occupying 309 members, and 211 private bills were introduced, of which 167 received the Royal assent. It can scarcely be surprising that the next few lines of the report should run as follows:—'The thin attendance in the House from the hours of seven to ten o'clock, *necessary in some degree from the exhaustion of the morning labours*, interferes in an important manner with the progress of debates. The leaders of parties and the chief speakers commonly decline to address the House during those hours, and the debates are consequently spread by adjournments over more nights than they would otherwise require.' In plain English, people who work all day cannot do without their dinner at night, and orators to whom the House will listen do not care to harangue before empty benches. Precisely the same state of things obtains in the present day—1871 will be found to differ in no respect from 1848 in this particular; and the only question to be decided is, whether our household suffrage Parliament will be found to have sufficient energy, self-restraint, and practical good sense to grapple with this and other inherent vices of the system. The very next words of the report describe the present condition of things with perfect accuracy:—'The business of the House seems to be continually on the increase. The characteristic of the present session has been the number of important subjects under discussion at the same time, and adjourned debates on all of them. This intermingling of debates, adjourned one over the head of the other, has led to confusion, deadening the interest in every subject, and prejudicing the quality of the debates on all.' True—most true; but let us hasten on to the remedies which were under the consideration of the committee of 1848, and inquire how far they—or such of them as were not recommended or adopted at that time—may be worthy of further consideration to-day.

Two main remedies appear to have suggested themselves to the minds of the committee, or at all events, to have been considered by them—first the *cloture;* second, a limitation of the time during which any member might address the House. 'La cloture' was practically in use both in the French Chamber of Deputies, as long as it existed, and, under the name of 'the previous question,' in the House of Representatives in Congress. The proceeding in the French Chamber was thus described by M. Guizot:—'A member, or two members call, "La cloture;" the President puts it to the vote; if any member objects, he can speak against the cloture; one only can speak, and no reply is allowed, and then the President puts the question, "Must the debate be closed?"' In the House of Representatives the previous question is in this form, 'Shall the main question be put'? 'It appears' (says Mr. Curtis) 'that on the previous question being demanded, it must be supported, or, as the phrase is, seconded, by a majority, and, on this being ascertained, the Speaker announces "The previous question is demanded by the House." If it should pass in the negative, the subject under debate is resumed, if in the affirmative, the debate ceases, and the amendments having been considered, the main question is put to the vote without debate.' The 'previous question' in Congress is not applicable when the House is in Committee, but the limit of speeches to one hour (which exists in Congress but not in the French Chamber) is applicable to every stage of a measure. All three witnesses gave their opinion strongly in favour of the power of closing debates. M. Guizot stated that before the establishment of the cloture in the French Chamber, the debates were 'protracted indefinitely,' that since its introduction 'all subjects have been amply and fairly debated,' the power has 'never been abused,' no 'serious or honest complaint has been made against it;' and he considered that it was 'an indispensable power,' without which the business in the French Chamber 'could not have been conducted satisfactorily.' Mr. Curtis informed the Committee that the rules—both for the calling for the previous question and the limitation of speeches—were adopted session by session; that he thought 'the approbation of both parties, and the practical adoption of those rules, was the highest evidence of the sense entertained of their value and usefulness,' and that he knew that 'the most intelligent and experienced gentlemen in the country approved both of the previous question and the one-hour rule.' Mr. Randall likewise approved of both rules, giving it as his opin-

other committee business, and its reduction to 11, which was suggested in 1854, is well worthy of consideration.

ion that 'it was absolutely necessary, in order to carry out the business, to have the power of closing the debates.' In spite, however, of this evidence, neither the cloture nor the speech-limitation rule are to be found among the recommendations of the Committee of 1848. It will be curious to examine their reasons for dissent from the conclusions arrived at by the legislative assemblies of France and America. These reasons are given at length, the Committee having evidently considered that the advantages of the French and American system were too great and too obvious to be summarily rejected. They commence, therefore, by pointing out the material difference between the three Representative bodies, both in constitution and mode of transacting business, calling to mind that in the United States a great part of the legislation is conducted by the legislatures of the respective States, whilst in France important measures are considered in the bureaux before they are discussed in the House. 'It is also of importance to recollect,' say the Committee, 'that the circumstance of Her Majesty's Ministers having seats in the House of Commons renders the subjects of discussion more various and comprehensive than in legislative assemblies in which members of the executive Government are not permitted to be present, and where the debates are of a less administrative character.' If by the above passage is meant to be conveyed (as would certainly appear to be the case) the assertion that the British House of Commons is a more important assembly, and discusses matters of greater magnitude, than its sister assemblies, it is difficult to discover how this fact should militate against the employment of means to restrict useless talk and to prevent waste of time in the more important, which have been found so efficacious and unobjectionable in the less important bodies. To an ordinary capacity it would appear that the greater the dignity of the assembly and the interest appertaining to the subjects discussed, the more desirable it is that the discussion should be carried on in the best possible manner, and should neither be clogged by lengthy speeches from loquacious nobodies, nor protracted beyond reasonable limits against the sense and feeling of the majority of the assembly. A better argument is involved in the allusion to the difference in the 'quorum' required in Washington and in London. In the House of Representatives, a majority of the House constitutes a quorum; a majority therefore is always present, and consequently the risk of an unjust surprise, by which a comparatively small minority could dispose of an important measure by a sudden and well-arranged demand for the previous question, is considerably diminished. This difficulty, however, is by no means insuperable, and might be overcome by a judicious limitation of the powers of applying the cloture, if for sufficient reasons it should be adopted in the House of Commons. The only other argument really employed by the Committee against the power of limiting speeches and debates is the certainty that, even as matters stand—or stood in 1848—'a far greater amount of business is transacted by the English House of Commons than by the Chamber of Deputies of France, or by the Legislative Assembly of the United States.' It is difficult to grapple with such an argument as this, which in no respect deals with the merits of the proposals under consideration, but simply makes it a matter of complacent self-congratulation that, having a great deal more work to do than our neighbours, we do more than they do, in spite of the inferiority of our system. It has never been denied that much work is got through, somehow or other, by the House of Commons; but that is not the point under consideration. The question is, whether the work is sufficient in quantity and quality, whether it is done in the best possible manner, and whether the method of its performance may not be greatly improved, if we can bring ourselves to make certain alterations, even though they should involve the necessity, so painful to our proud insular spirit, of taking a lesson from somebody else.

The Committee of 1848 made many recommendations of considerable value, which have been more or less adopted by the House of Commons. The proposal that 'when leave shall have been given to bring in a Bill, the questions of the first reading and printing shall be decided without debate or amendment moved,' was a proposal the principle of which had indeed been considered and avoided by the Committee of 1837, but one leading so directly to economy of time, that we are led to wonder first, why it had never been adopted before, and secondly, why it should not be carried somewhat further now. If the object and scope of a Bill is explained by the mover in asking leave to introduce it, and its principle is discussed, and either accepted or negatived on the second reading, why should another debate and division upon the principle be again permitted, upon the question that the Speaker do leave the chair, which motion is made for the purpose of considering the details of the measure in Committee? The only valid argument for the continuance of this double discussion upon the principle of

the Bill is based upon the possibility of the second reading having been carried by a surprise; but if for the sake of guarding against such an event, the division upon the question of going into Committee should still be allowed, the gain would be infinitely greater than the evil if at that stage at least the debate were prohibited. Several other recommendations were made by the Committee in the direction of economy of time, notably that which provided that when the House had once resolved itself into Committee upon a Bill, the Speaker should, when the Bill came on again as an order, forthwith leave the chair as a matter of course. They appear, however, to have shrunk from any stern application of the knife to the root of the disease. Their reasons cannot be better described than in their own concluding words :—

'It is not so much on any new rules, especially restrictive rules, that your Committee would desire to rely for the prompt and efficient despatch of business by the House. '*The increasing business*' (hear, oh ye talkers of 1871!) '*calls for increased consideration on the part of members in the exercise of their individual privileges.* Your Committee would desire to rely on the good feeling of the House, and on the forbearance of its members, and on a general acquiescence in the enforcement by the Speaker of that established rule of the House which requires that *members should strictly confine themselves to matters immediately pertinent to the subject of debate.* Your Committee, however, venture to express an opinion that the satisfactory conduct and progress of the business of the House must mainly depend upon Her Majesty's Government, holding, as they do, the chief control over its management. They believe, that by the careful preparation of measures, their early introduction, the judicious distribution of business between the two Houses, and the order and method with which measures are conducted, the Government can contribute in an essential way to the easy and convenient conduct of business. They trust the efforts of the Government would be seconded by those of independent members, and that a general determination would prevail to carry on the public business with regularity and despatch.'

For these reasons the Committee of 1848 abstained from any recommendation to limit the talking privileges of members of the House of Commons.

Then came a Committee upon the same subject in 1854, which entered into a careful and elaborate inquiry. Its Chairman, Sir J. Pakington, evidently impressed with a sense of the growing difficulties in the way of the effectual transaction of business, proposed a report which recommended many and considerable alterations. One paragraph of this report ran as follows :—

'Your Committee believe that without any improper encroachment upon the privileges of members, and with advantage to the interests of the public, abuses and evasions of the rule of the House, which are now permitted, might be checked; questions now necessary might be dispensed with; *opportunities for debate might be reduced; and privileges now insisted upon might be safely relaxed.* Your Committee consider it most desirable that by these or other means the work of legislation should be expedited, and the duration of the Parliamentary Session should be abridged.'

Among the alterations suggested by Sir John Pakington were several directed against the practice of raising debates by means of trifling amendments upon the motion for Supply, the repetition of motions for adjournment, and other obstructions to the progress of public business. Unfortunately, however, Sir John Pakington was too ardent a reformer for his associates upon the Committee, who, finding an exponent of their milder opinions in Sir George Grey, adopted his alternative report, and professed their 'deep regret that in the great majority of the proposals' of their chairman they were 'unable to concur.' They made nine recommendations, which they were candid enough to admit were, 'with two or three exceptions, of minor consequence,' but they abstained from substantial reforms with a delicacy akin to timidity. They could not, indeed, deny the existence of imperfections in their cherished system. They went so far as to observe that 'the Committee entertain no doubt of the great and increasing amount of the business of the House,' and they are of opinion that it is desirable that the forms of the House should from time to time be reconsidered, in order to remove any needless obstructions to the despatch of business.' But they were still more impressed with the 'necessity of great caution in effecting changes in a system sanctioned in its main features by long experience and national respect;' and, whilst they acknowledged that 'the alterations adopted on the recommendation of the Committee of 1848 had been attended with beneficial results,' they shrank from any bolder advances upon the same path; they 'concurred entirely' in the opinion of that Committee that they should rely upon 'the good feeling of the House and the forbearance of its members;' and they concluded with a pious hope that a perusal of the evidence appended to their report would 'produce a salutary influence, and lead to a more general determination on the part of members to contribute to the efficient and satisfactory despatch of business, by avoiding whatever tends to interfere with the order and regularity of debate, and by

cordially supporting the Speaker in enforcing a compliance with the spirit as well as letter of the rules by which the proceedings of the House are governed.'

But yet another attempt at self-reform has been made by the representatives of the people. In 1861 a fourth Committee, consisting of twenty-one members, and having for Chairman no less considerable a person than Sir James Graham, sat for eight days, and produced an exhaustive report. Their commencement, however, was inauspicious to the cause of reform; for, after alluding to the proceedings of the three Committees to which allusion has been made, and speaking of the recommendations of the Committee of 1854 as 'to be regarded rather as supplementary aids than as decisive changes,' they continued in these words:—

'On all these occasions, the House and its committees have proceeded with the utmost caution. They have treated with respect the written and the unwritten law of Parliament, which for ages has secured a good system of legislation, perfect freedom of debate, and a due regard for the rights of minorities. This *respect for tradition, and this caution in making changes, have proceeded on the principle, that no change is justifiable which experience has not proved to be necessary*, and that the maintenance of the old rules is preferable to new but speculative amendments.'

It is obvious that a Committee which entertained so deep a reverence for tradition and so conservative an aversion to change was little likely to inaugurate any sweeping reforms in the rules and orders of the House of Commons. It is therefore not surprising that their very elaborate report should conclude with four recommendations of so small and meagre a character as certainly to deserve no more than the epithet, 'supplementary' which they had applied to the suggestions of a previous Committee. And yet, strange to say, throughout the whole of their report, the Committee of 1861 appear to have had their attention fixed upon the principal defects of the existing system, and to have groped about for remedies as if they were all the time longing to lay hold of and apply them, but were continually hindered by their superstitious dread of change and reverence for the traditions of the past.

The 'want of certainty in the management of the business of the House,' and the delay caused by frivolous amendments on the motion for supply, were considered and dealt with at enormous length by this Committee. An excellent remedy, suggested by the present Speaker, was mentioned only to be rejected. It was the Speaker's opinion that 'upon the four great heads of the Army, the Navy, the Revenue Departments, and the Civil Service, the House, having once gone into Committee, might, on that same head of Estimates, resume its deliberations in Committee without any question being put.' The Committee, however, contented itself with 'anxiously considering the policy of imposing some such check.' It recorded the great and increasing delay of business, and confessed that 'it cannot be denied that these multiplied preliminary motions are a serious obstacle to certainty in the proceedings of the House,' and then it fell back upon the time-honoured fact that 'the statement and consideration of grievances before Supply are among the most ancient and important privileges of the Commons,' and, after a careful balancing of pros and cons, decided—to recommend nothing!

The waste of Friday also came under the notice of the Committee of 1861. Here again the Speaker suggested an improvement, to be obtained by providing that at a given hour the question of adjournment, if not previously decided, should be put, and the voices taken. This, however, appeared to the Committee to be a 'compromise,' and (horrible idea!) a 'new principle,' and it was therefore rejected, after a division, by ten to eight, and a recommendation made to the effect that the House should on Friday stand adjourned to Monday without motion made, but that Friday should be a Government day, the motion for Supply or Ways and Means standing first among the Government orders. This recommendation was adopted by the House, and, inasmuch as amendments can be moved on the motion for Supply as easily as they could formerly be moved upon the motion for adjournment, has naturally made not the slightest difference in the waste of time on Fridays. The rest of the report of this Committee consists of minute examination into the details of the business arrangements of the House, and carefully-stated objections to almost every change of any magnitude which could have been proposed. One useful recommendation was made—namely, that Committees of Supply might be fixed for every day in the week upon which the House met instead of being restricted as theretofore to 'Monday, Wednesday, and Friday, and any other day on which orders of the day shall have precedence of notices of motions.' Another proposal, obviating the necessity of re-committing to a committee of the whole House a Bill which had been referred to a select committee, completed the recommendations of the Select Committee of 1861, who, like their predecessors, closed their report with a declaration of their reliance upon 'the for-

bearance of members in the use of forms which respect for ancient usage leaves unaltered,' and, in their last paragraph, struck the key-note of the anti-reform spirit which had inspired their deliberations :—

'Your Committee, like preceding committees on the same subject, have passed in review many suggested alterations, but, like them, have come to the conclusion that the old rules and orders, when carefully considered and narrowly investigated, are found to be a safeguard of freedom of debate, and a *sure defence against the oppression of overpowering majorities. Extreme caution, therefore, in recommending or introducing changes is dictated by prudence. These rules and orders are the fruit of long experience ; a day may break down the prescription of centuries. It is easy to destroy —it is difficult to reconstruct.*'

With these splendid platitudes, framed in the 'woodman-spare-that-tree' mould, the efforts of the Committee of 1861 finally culminated, and after their recognition of the evils of the existing system, and their long examination into the many suggested remedies, this Committee, with a generous confidence in the future forbearance and discretion of members of the House of Commons, forbore to recommend any more stringent rules of restriction or limitation of talking power. How far their confidence and that of previous committees has been justified may be gathered from the increased difficulties which have to be encountered in the performance of the work of each session; and yet, with all these difficulties, it must be admitted that a vast deal of discretion and forbearance is actually displayed and exercised by hon. members. If this were not the case, no business would ever be done. Unfortunately, as it is the wisest people who mostly display these good qualities, it follows that many of those persons to whose want of them the waste of time and the delay of business are attributable, are *not* the wisest, and it is on their account that the question of restriction has to be entertained. Surely, if the 'forbearance and discretion' of members may be trusted in the matter of restraining themselves from idle talk, it is hard to say that the majority of the whole House might not be trusted to refrain from the application of the cloture except when it became really necessary. If the cloture were proposed, session by session, as a standing order, any abuse of its power would speedily lead to its repeal or modification; but such is the sense of fair play existing in the House of Commons, that in all probability it would never be put in force except in cases where the public opinion both of the House and the country would thoroughly endorse its application. Further, it would not improbably exercise a deterrent effect, both upon obstructive individuals and factious minorities. The rights of a minority are never to be disregarded in a representative body, but due care should be taken that they do not become the wrongs of a majority, which is too often the case in the House of Commons. Indeed, the power which is at present possessed by a small minority is absurdly great. What can be more inconvenient as well as ridiculous among a body of reasonable beings, than that when a given subject has been submitted to their consideration, upon which a proportion of five, eight, or ten to one pronounce a certain opinion, the defeated minority should be able, by divisions again and again repeated, frequently only upon motions for the adjournment of the debate or the House, purposely avoiding the main issue, to defeat the will of the majority and prevent the progress of the measure? Over and over again does this occur in the House of Commons, and not unfrequently overworked officials and the officers of the House are kept in their places till daylight by the obstinacy of a few members, who endeavour, by this straining of the forms of the House and their own privileges, to defeat, or at least postpone, some measure against which the more legitimate weapons of discussion and argument have proved powerless in their hands. How many weary hours would have been saved—how much rest gained for men whose strength of brain and body are the nation's property—if the cloture had been in force during the last twenty years of the British Parliament! It is well known that the lives of some of our best statesmen have been shortened by the late hours and arduous labours of the House of Commons, and it is impossible to judge of the amount of mischief done to the public service by this overtaxing of the energies of public servants. Lord Palmerston was in the habit of staying to the last in the House, and at a very late period of his life would walk round the division lobby at two or three o'clock in the morning more cheerfully and jauntily than many younger men. But all men have not the vigorous constitution of Lord Palmerston, and, although the present Prime Minister never spares himself in the public service, and would be the last man to desire that an alteration in the rules of the House of Commons should be made for his sake, it is impossible not to feel that the unnecessary protraction of the sittings of the House tells sensibly upon him during the session. Why should England's best lives be sacrificed to the exigencies of a system, which has

nothing but antiquity to recommend it? What is the advantage to the country of maintaining forms which allow twenty men to successfully oppose the will of two hundred, and why is the House of Commons afraid to trust itself with the power of putting an end to a nuisance and displaying itself before the eyes of the country as an assembly in which some consideration is given to the ordinary rules of common sense? Besides, the cloture, if adopted, might be so guarded and regulated as to avoid the objections which appear to have been present to the minds of the Committee of 1848; and its application might be restricted to certain specified stages of a Bill or to particular classes of business, so as to reduce to a minimum any possible inconvenience. But the precise limitations, if any be necessary, may be the subjects of careful discussion; the point at which we aim is to induce the House of Commons to have sufficient self-confidence to venture some length at least upon the path of self-improvement and self-restraint of which the cloture is the sign-post.

The limitation of individual speeches is a matter somewhat more difficult. Although it is said to have worked well in the American House of Representatives, it is a rule not to be adopted without much consideration. It has been suggested that the proposer or the seconder of a motion or Bill, and the official who replies, should not be limited, but that the 'one hour's rule' should apply to every other speaker. If this principle were adopted at all, the limit must undoubtedly be to a shorter time, in order to be at all effectual in so large an assembly as the House of Commons. A quarter of an hour, or a twenty minutes' limit, would give ample time in most cases, and the gain would be considerable. But then, after all, it is not always the longest speeches which are the most tiresome. Fancy a debate upon a question of international law in which Sir Roundell Palmer, being neither mover, seconder, nor official, was limited to twenty minutes, or a great political question upon which Mr. Disraeli had to address the House under the same conditions? In such cases it would be the public, and not the orator, upon whom the loss would fall, and although there might either be a tacit understanding on the part of the House with regard to particular individuals, or a special suspension of the rule upon the occurrence of a debate of particular interest, yet it is impossible not to foresee that a state of things at once invidious and inconvenient might arise under such a rule. Still, the existing evil is so great that, unless other means can be discovered, a trial of this rule or of some approximation to it may, ere long, become necessary.

But apart from these two remedies—the cloture and the limitation of individual speech—it is worth considering whether there are not other suggestions which may be made. The large number of measures annually introduced has been pointed out as one of the evils of the present system. Is it absolutely impossible to curtail the number? It may be alleged that it would be an unheard-of infringement of the privileges of Members of Parliament if every hon. member were not at liberty to air his crotchet and introduce his Bill. By all means let him do so; deprive no man of his right to 'lay upon the table of the House' his pet scheme or favourite measure. But when the exercise of the privilege begins to clash with the effective working of the public service, let the privilege of the individual give way to the interest of the community. It is an empty and vague privilege, too, as regards the individual, if it only enables him to take his Bill through one or two stages, and cannot prevent it from being jostled out of being by its pushing and crowding neighbours. It is neither vague nor empty, however, as regards the interest of the public, if it prevents other measures of greater public utility from being duly considered and passed. Perhaps it is presumptuous to make a suggestion upon such a point, but it appears not impossible that considerable public advantage would be gained by forestalling the 'massacre of the innocents' in a defined and regular way. A committee, analogous to the Committee of Selection, or, if deemed desirable, composed of a larger number of members, might be appointed at the commencement of every session. To this committee should, at a given period (say the first week of re-assembling after the Easter recess), be referred the consideration of the position of all Bills introduced up to that time, and they should be required to report upon the state of the book of the House, and to recommend the withdrawal of such Bills as appeared likely to occupy the time of the House without a reasonable prospect of becoming law. Many objections might and doubtless would be urged against the delegation by the House of so much power to a limited number of its members. Still, serious diseases must be encountered by strong remedies, and, strong as may be the remedy here suggested, it is one which could scarcely fail to be in a great measure effectual. The members of such a committee might safely be trusted to banish personal and political 'predilections from their minds in dealing

with the Bills before them;' they would be guided by considerations of the progress which each Bill had already made in its passage through the House, by the amount of public interest attaching to it (as evidenced by the number of petitions presented upon the subject-matter, and the expression of public opinion through the 'ordinary channels of information'), and by the time likely to be occupied in the discussion of its future stages. Their judgment would moreover be affected by the question whether the Bill was one which came before the House for the first time, or which related to a subject which had been well and frequently ventilated in previous sessions, so as to be ripe for legislative decision. Besides, the powers of the House might be delegated, not completely and peremptorily, but only in such a degree and to such an extent that the recommendations of the Committee should be submitted to the House, and their decision, in any case which might be challenged, put to the vote and affirmed or reversed accordingly, though without discussion upon the subject-matter of the Bill to which it referred. The appointment of such a Committee as the above, which might be termed the 'General Public Bill Committee,' or 'the Public Bill Revision Committee,' would be attended with the most beneficial results, and would lead to the clearing of the Order Book and the attainment of greater regularity and certainty in the despatch of business.

In the Committee of 1854, Sir John Pakington proposed that a 'Committee of the whole House on Public Bills' should sit two days in each week at some period after the Easter holidays, for the purpose of taking Bills through Committee, and it was thought by high authority that 'the sittings of such Committees might be separated from the sittings of the House itself, and that such Committees should have the power of adjournment.' It may be observed, however, that such a rule would in effect be little more than a formal adoption of morning sittings by sessional order, instead of, as at present, by special order of the House upon the demand of the Executive. For, if important Bills were to be taken through a Committee of the whole House, members would attend equally as now, and the form rather than the reality would be changed. But a Committee composed of leading men on either side of the House, exercising an impartial judgment upon the questions before them, and keeping steadily in view economy of time and the requirements of the public service, would not fail to command the respect of the House. The details of this suggestion would require close examination, and might be manipulated in such manner as to maintain as far as possible the privileges of individual members without impairing the efficiency of the remedy; but the adoption of this or some kindred plan would go far to obviate the chief inconveniences of the present system.

Another improvement might be adopted as an alternative, if the House of Commons should shrink from the above-mentioned scheme as one of too violent a character. Bills might be sent, after their second reading, to a Select Committee as a matter of course, and dealt with by such Committee instead of by the Committee of the whole House, being returned to the House to be considered, as amended, and read a third time. There are several reasons, however, which may be urged against this proposal: the Select Committees would be so numerous that many Bills would have to be considered without the advantage of being criticised by men in whose judgment the House would generally confide; at present, some such men are placed upon every important Committee and upon any Select Committee to which an important Bill is referred, but their number is of course limited and their power of serving on Committees not inexhaustible. If Bills were considered and returned to the House without the presence upon the Committee of some such men, discussions upon their clauses 'as amended' would be inevitable and prolonged. Moreover, the House would be exceedingly loath to part with its privilege of discussing the details of any considerable measure in full Committee, and it seems more reasonable to limit the number of measures to be considered than to restrict the means and opportunities of careful examination before they become law.

But apart from such alterations of system as have been already suggested, there are several minor changes, both as to forms of procedure and times of sitting of the House, which would not be without their advantage. It has been pointed out that much time is occasionally lost by repeated motions for adjournment on the part of a pugnacious and obstinate minority. The House has so far recognised the desirability of limiting this power of obstruction as to oblige the obstructors to vary their form of motion, so that when an adjournment of the debate has been negatived, that motion cannot be immediately repeated, but the adjournment of the House is moved instead. This is an awkward and utterly inefficacious attempt to prevent the hindrance of business, and if any attempt is to be made at all, it would be better that it should be one of a more sensible and practical character. Let it be a standing order, that when a motion for adjournment

has been defeated upon division, the main question shall at once be put, and a division taken without further debate; the change might even be carried further with advantage, and if an adjournment be moved, no other speaker be allowed upon the motion except the member who makes it and the member in charge of the Bill in reply.

Many trifling alterations for the better might be made in the hours of sitting. The House, when it meets at a quarter to four, is occupied till half-past four (and often till a later hour at the commencement of the session and on special occasions) with the receipt of petitions and the transaction of 'private business;' then follows the presentation of petitions, which in its present form is little more than a sheer waste of the time of the House. Members who have petitions to present, if they are especially enamoured of their own voices, or have constituents in the gallery, rise in their places, state the nature of their petitions and the localities from which they emanate, and then march up to the table of the House and deposit them in one or other of two large bags which hang on either side of the table. Members of a more retiring disposition, and with a greater sense of the value of time, deposit their petitions in the said bags without speaking. In both cases, the whole number of petitions is subjected to examination by a Committee of the House, those which are informal are rejected, and all the rest duly registered in the votes as having been received, a list of them sent to every member, and any which are deemed of sufficient importance printed at length. Publicity in the newspapers is obtained by handing to an officer of the House, 'behind the chair,' a slip of paper, on which is inscribed the name of the member presenting the petition and the particulars thereof; so that in reality no purpose whatever is served by the waste of ten or twenty minutes which frequently occurs through members rising in their places to present petitions, save the possible gratification of individual vanity and the affording an opportunity to a shy member of trying the effect of the sound of his voice in the House. If a petition of unusual interest is intrusted to any member, he might be permitted to give notice of his intention to present it publicly and do so accordingly, but as a general rule there can be no reason why petitions should not be placed at once in their appointed receptacles at the table, and the time of the House saved in this respect. After petitions, at half-past four, come 'notices of motions,' and then 'questions,' the number of which is not unfrequently considerable, and their character multifarious. It is often five or half-past five, sometimes even later, before the real business of the day—or night—begins. The delay interposed by 'private business' might be avoided without difficulty. It is only the first stages of Private Bills which are thus taken, a Private Bill being referred as a matter of course to a Committee of five Members unless opposed and defeated upon its second reading. Why should not these stages be taken before a small Committee of the House instead of occupying the time of the whole House in formal proceedings? If unopposed, there could be no objection to this course, and if opposition was intended, due notice should be given to the Committee, who should then refer the second reading of the opposed Bill to the decision of the whole House. As the occasions of opposition to this stage of a Private Bill are comparatively rare, the House would be able, as a general rule, to begin 'notices of motions' and 'questions' at four instead of half-past four; and it is worth consideration whether it would not be sufficient to allow half-an-hour or three quarters for this process, so that the House, having assembled at a quarter before four, might proceed to the first order upon the notice-paper at half-past four or a quarter before five, the Speaker rising and calling upon the clerk at the table to read that order at the stated hour, even if 'questions' should not have been brought to a conclusion before.

Upon Wednesdays (a day on which the 'cloture' would, if adopted, be probably put in force very frequently) the rule of the enforced adjournment might with advantage be changed to an enforced division upon, or withdrawal of, a measure, unless the adjournment should be moved and carried by a division. The practice of 'talking out' a Bill would thus be put an end to, and questions settled which are under the present rules kept hanging over the heads of members, Wednesday after Wednesday, if once the aforesaid practice has been successfully employed. As regards changes in the times of sitting, if the proceedings in the House itself were alone to be considered, it is probable that the change most likely to conduce to the expeditious despatch of business and the shortening of the duration of sessions would be the adoption of the hours of what are now called 'morning sittings' as the daily business-hours of the House, with the alteration already suggested as to the restriction upon 'counts.' There are, however, two strong reasons which would weigh against such a reform; its inconvenience to Government officials and professional men, and the hardship upon those members who,

being engaged upon committees, could not, without neglect of duty, be present at the debates of the House. This inconvenience is felt in no small degree when, under the present *régime*, 'morning sittings' begin to be held; and its extension would be strenuously resisted. The House might gain something by meeting at three, the committees taking eleven instead of twelve as their usual hour of meeting; but even this change would be a balance of inconveniences, and would fail to affect perceptibly the principal evils of which we complain. Neither could any arbitrary rule be safely adopted, in addition to that already suggested, as to the particular hour at which one class of business should cease and another commence, or at which a division upon the question of going into Committee of Supply should certainly be taken. The House, by the establishment of such a rule, would be parting with, instead of, as in the adoption of the cloture, taking additional power, and this would be frequently found inconvenient. A discretion must be left with the House in its general arrangement of business, and it is to enable and facilitate the exercise of this discretion that the cloture is recommended, inasmuch as its absence leaves too much to the discretion—or indiscretion—of individual members, to the weakening of the power of the House itself. Further than this, the limitation upon motions for adjournment, the appointment of a general Public Bill Revision Committee, and the restriction upon the power of 'counting out,' seem the most feasible alterations that can be suggested, the curtailing of individual speech being left 'looming in the future' as a possible contingency. One still larger reform remains to be noticed—namely, the question of allowing a Bill partly discussed and dropped for lack of time, to be revived in the succeeding session, and taken up at the stage which it had already reached. This point was considered, and an adverse opinion expressed, by the Select Committee of 1861. It admits of much argument on either side, but it is purposely left untouched in the present article, as having reference not only to the forms and proceedings of the House of Commons, with which we have attempted to deal, but to the general course of legislation in both Houses of Parliament. There can be no doubt that the adoption of such a reform would, with proper safeguards, be attended with very considerable results in the direction of the more rapid progress of legislation, but it is one which might be accepted or rejected quite apart from the alterations in the internal arrangements of the House of Commons which have been herein suggested.

To all these and to any other remedies which may be proposed, there will doubtless be many objections raised and maintained. 'Interference with the freedom of debate' will be held before our eyes as a terrible bugbear. We shall be told that we seek to limit the power of the independent portion of the House of Commons, and to fetter the free action of the Representatives of the People. Solemn warnings will be given us against increasing the tyranny of a majority and invading the sacred rights of a minority. Moreover, we shall be laughed to scorn as the proposers of alterations to which the House of Commons will never consent, and which would involve a departure from the first principles of the British Constitution. Well—be it so. The British Constitution has lasted for many a long year, the longer and the stronger, probably, from its susceptibility of continuous improvement and its adaptability to the ever-altering requirements of succeeding ages. At the present moment, the evils which we have pointed out in the legislative system of the House of Commons are great and prominent. If no remedy be applied, they will become more and more intolerable. It is for Parliament to determine whether a remedy can be found, or whether it is better that the country should suffer and the course of useful legislation be for ever impeded, rather than that the much-abused freedom of speech among legislators should be curtailed and tradition invaded and disregarded in any particular. Sooner or later the change must come, for, after all, common sense is a characteristic of Englishmen, and common sense will not for ever endure to see good measures postponed again and again, and perhaps finally deteriorated in their passage into law, merely because the House of Commons lacks the moral courage to exercise some legitimate restraint upon its own members, and chooses that the time of the country should be wasted, and defects in the law remain unaltered, sooner than exert itself to that self-reform which the voice of public opinion and the dictates of ordinary intelligence have long declared to be imperatively necessary.

Art. IV.—1. *A History of the Sepoy War in India*, 1857–1858. By John William Kaye, F.R.S., Author of the 'His

tory of the War in Affghanistan.' Vol. II. London: 1870.

2. *Cawnpore.* By G. O. Trevelyan, Esq., M.P. London: 1865.

Mr. Kaye's new volume (the second) of his 'History of the Sepoy War,' being almost exclusively a narrative of events, evidently written after a careful investigation of facts and collation of authorities, would have given us still greater pleasure than we have derived from it, if we had not observed, scattered here and there through its pages, several intimations that the author intends to avail himself of some future occasion to substantiate his theory that the outbreak of the Sepoys was but the efflorescence on the surface of the passionate hatred of British rule burning in the veins of native Indian society. Thus at page 234 he says, speaking of the rural districts round Benares, 'It was not merely that the mutinous Sepoys, hanging about the adjacent villages, were inciting others to rebellion (this was to be expected), but a great movement from within was beginning to make itself felt upon the surface of rural society, and for a time all traces of British rule were rapidly disappearing from the face of the land. Into the real character and general significance of this movement I do not purpose here to inquire. The investigation is an extensive one, and must be deliberately undertaken. It is enough in this place to speak of immediate results.' And again, at page 290, he quotes in support of his text the well-known Red Pamphlet (the author of which, as we have reason to believe, will not thank Mr. Kaye for reviving the notoriety of this clever production of his 'hot youth'), 'If this had been a military outbreak, as some have imagined, if the dispossessed princes and people of the land, farmers, villagers, ryots, had not made common cause with the Sepoys, there is every reason to believe that but a portion of the force would have revolted.'

But we have too high an appreciation of the merits of Mr. Kaye's work as a whole, and our feelings towards him as an author are too kindly, to suffer us to enter again into the lists of a controversy which, notwithstanding the passages above quoted, he has professed to eschew in his preface to the present volume. It is much more pleasant to follow his narrative with the admiration that it deserves.

'Odimus accipitrem qui semper vivit in armis,'

and we are content to postpone the conflict of opinion till he strikes the first blow.

There is one point, however, upon which we believe it to be essential to the truth of the history of the eventful year 1857, that we should dispute a position which Mr. Kaye appears to have taken up, though we do not see that he directly affirms it. He has devoted the forty-two first pages of his book to details of the views of the British Government, in India and at home, with respect to the removal of the once royal family of the Moguls from the palace-fort of Delhi, and to the disputed claims of the oldest and youngest sons of the possessor of the nominal sovereignty to the succession. This laboured exordium, if it mean anything in connexion with a work which has for its subject the Sepoy War, must be intended to imply that the war was stimulated and encouraged by the occupants of the palace, if, indeed, it did not owe its origin to their intrigues. For what other object could the old king, his three elder sons, their insolent boy-brother, and his termagant mother have been brought at such length and with so much pomp upon the scene at all? This whole chapter is out of place in the history, and the length at which the futile intrigues of the Queen-mother are dwelt upon is almost the only blemish in Mr. Kaye's volume. That he should have thought it worth while to give room to the gossiping dialogue between the young prince and Mrs. Fleming, the sergeant's wife, shows how hard he was driven to connect these intrigues with the Sepoy War.

We do not believe that there was any complicity between the Sepoys who mutinied at Meerut and the inmates of the palace at Delhi. We do not believe that there had been any previous understanding between the two parties, nor that when the Sepoys broke out their subsequent march to Delhi was the result of a foregone determination. On the contrary, there is good evidence to prove that it was seriously debated whether it would not be the better plan to proceed to Bareilly. We quoted in our review of Mr. Kaye's first volume, Lord Lawrence's statement, forming part of his judgment upon the ex-Emperor, that 'Nothing has transpired on this trial, or on any other occasion, to show that he was engaged in a previous conspiracy to excite a mutiny in the Bengal army;' and since no one will question Lord Lawrence's acumen, and as his means and opportunities of forming a correct opinion on the subject were certainly unrivalled, we have gladly fortified our own convictions by a reference to him. His letters on the subject are now before us. Speaking of the Sepoys' debate, after leaving Meerut, whether they should march to Delhi or Bareilly, he writes:—

'I heard the story from Moohun Lal (Burns's Monshee, in Cabul), and it was confirmed by all which I gathered subsequently in Delhi. Mohun Lal was in Delhi when the Sepoys first entered it, and he told me that they talked openly on the subject. The story was something to this effect. A Sepoy said, "Why hesitate where to go? Delhi has a fortress, an arsenal, a treasury, the King, and there are no European soldiers. That is the place to make a stand."'

Again:—

'My own impression is that neither the King nor any of his family had really anything to do with the mutiny in 1857, in the first instance, though the latter, as did many Mahomedans, went in with great zeal against us, after the mutiny broke out. I do not even think that the family had much influence with the mutineers during any period of the war, not even during the siege of Delhi, though the King's name was a tower of strength in various ways for a long period. Had the mutiny succeeded, a new race of chiefs, for the most part, would have sprung up among the leaders, whom the mutiny would have brought to the front, and this was generally felt.'

We trust that after this the public will hear no more dark hints and mysterious imaginings, little more tangible than Lord Burleigh's celebrated shake of the head, about plots against British domination hatched and contrived in the palace of Delhi. The Sepoys must have been weak indeed, assuming that ever they had formed any definite plans before they broke out, to have put any trust in the idle and dissolute scions of *ci-devant* royalty who herded in that Court. That the King or the more active of those who used him as a puppet may have entered at a period shortly antecedent into feeble and futile intrigues with the Shah of Persia is very probable, but neither of the two could have afforded the smallest real assistance to the other. The pity is that Mr. Kaye should have wasted so much of his time and so many good pages upon a subject so unworthy of his pen. If the space which those pages occupy had been transferred from the beginning to the end of the book, he need not have postponed to a future occasion his narrative of that most important event—the triumphant conclusion of the siege of Delhi.

So much for differences of opinion. We gladly turn to those subjects of the deepest interest to all who have hearts to feel for the bitter sufferings undergone, and to admire the brilliant heroism displayed by the sons and daughters of our race—by the latter no less than by the former—displayed alike in doing and in enduring under the most adverse circumstances, and against the most fearful odds. But before we turn to the pages of Mr. Kaye's volume, there are one or two points of great importance upon which we desire to offer a few observations.

The first is, that although the 'prophets of the past' have been numerous and loud, the outbreak of the Sepoys burst, with the rarest exceptions, like a thunder-clap in a cloudless sky, upon all connected with India, both at home and abroad. That great and good man, Sir Henry Lawrence, had, perhaps, the most distinct prescience of the impending danger. In former days, Sir Charles Metcalfe used to insist frequently that the British power had no surer foundation than a barrel of gunpowder; but though we have often listened to his forebodings, we do not remember that he specially questioned the fidelity of our native troops. But as Mr. Kaye has observed in more than one passage, the general sentiment was one of confident, if not of blind security. Our best officers, men who, like Ewart, Platt, and Spottiswoode, had served in the command of Sepoys throughout their career in India, entertained these feelings without a doubt. All these men, and many others, paid with their lives the penalty of their confidence. Colonel Ewart was cut to pieces, with his noble wife, as he was carried, sick and wounded, down to the Ghât at the evacuation of Cawnpore.* Colonel Platt, not believing that his long-trusted regiment had risen in mutiny, or confident that he could quell their discontent by his presence, rode down, with his adjutant, to the lines of his regiment at Mhow, where both were murdered. On his table, after his death, were found a few lines of a letter which he had begun to write to Sir Henry Durand, then the Political Agent at Indore. They ran thus:—'All right, both cavalry and infantry; very khoosh (happy) and willing.' Just here the despatch was cut short by the announcement that his horse was at the door, which was to carry him to his death. Colonel Spottiswoode destroyed himself when he was informed that his favourite regiment was to be disarmed. When General Cotton had announced to the commanding officers of the Sepoy regiments at Peshawur his intention to disarm them, 'Then,' Mr. Kaye says, writing upon the

* Some letters of this brave and God-fearing couple were published. Mrs. Ewart wrote on the 28th of May:—'John still hopes to hold his men together, so does Major Hillersdon his (the 53rd N. I.). Indeed, no commandant seems to believe that his men can be false.' And Colonel Ewart on the 31st of May:—'I and my officers continue to sleep in the Quarter Guard of the regiment, which we have done ever since the night of the 21st instant.'

authority of Colonel Edwardes, 'there arose a storm of remonstrance. Protesting their entire confidence in the fidelity of their men, these Sepoy commandants clamoured vehemently against the threatened disgrace of their regiments; and one declared his conviction that his corps would never submit to lay down their arms, but would rise against the order, and resolutely attack the guns;' and though the order was most happily and successfully carried out, so strong were the feelings of the officers, that Colonel Edwardes states, in his official report, 'as the muskets and sabres of the once-honoured corps were hurried ceremoniously into carts, it was said that here and there spurs and swords of English officers fell sympathisingly upon the pile.' We learn from Sir Robert Montgomery that the same feeling prevailed at Lahore, when Brigadier Corbett had determined to disarm the Sepoys stationed there. The officers, he writes, 'went about wringing their hands, and saying, "What an awful shame. Never was so monstrous a step taken. The good, loyal men to be thus disgraced!"' Sir Robert adds, 'we should all have been murdered, nevertheless, unless we had acted promptly.' Such evidence of the general feeling might be sufficient, but it is necessary to cite one more instance, because it was boasted, at the time, both in the House of Commons and elsewhere, that the late Sir Charles Napier was the single prescient individual who foresaw the coming storm, and warned the Government of its danger. It will be seen that the fact was precisely the reverse.

'This is a vast army, and it is in a good state of discipline, complete in its equipments, full of high courage, and a high military spirit reigns through all ranks . . . . . Our service is extremely popular, and the troops faithful to a proverb.

'I have heard that Lord Hardinge objected to the assembling of the Indian troops for fear that they would conspire. I confess I cannot see the weight of such an opinion. I have never met an Indian officer who held it; and I certainly do not hold it myself; and few men have had more opportunities of judging the armies of all three Presidencies than I have. Lord Hardinge saw but the Bengal army, and that only as Governor-General, and for a short time. I have studied them for nearly eight years, constantly at the head of Bengal and Bombay Sepoys, and I can see nothing to fear from them except when ill-used; and even then they are less dangerous than British troops would be in similar circumstances."*

We have dwelt on this point at some length, first, because the Government, both abroad and at home, has been charged with culpable blindness in not having foreseen and guarded against the great calamity that was about to befall it, and, still more heavily, the people under its charge. But no man can see better than his eyes. Those who might have enlightened the Government were themselves stone-blind. Like Sir Charles Napier, they told the Government the smooth things which they themselves fully believed, and how was the Government to believe otherwise when they had the almost uninterrupted experience of a century to support their confidence? And, secondly, we are strongly desirous to place this state of general opinion, in regard to the fidelity of our native army, broadly on record, because we feel that the absence of preparation for such a fearful outbreak as burst upon us at the hottest season of the year 1857, ought in reason to raise our appreciation of the promptitude, the dauntless courage, and the constancy of the men, civil as well as military, who set their backs to the wall when 'the enemy came in like a flood,' and fought the battle out to its bitter end. If ever Englishmen deserved well of their country, the men who came to the front in this great struggle for mastery do so deserve. On many occasions, as when Henry Lawrence was surrounded at Lucknow, when Herwald Wake and his gallant comrades held the little billiard-house at Arrah against the thousands surging around them, or when Colonel Sherer and his officers of the 73rd Regiment at Julpegoree, well supported by Mr. James Gordon, the brave young magistrate, kept the great body of their men to their colours throughout the crisis, in spite of the evil example set by a few, they must assuredly have hoped against hope. Those only who know, by painful experience, what the months of the hot season are at Delhi, even when they enjoy the shelter of a good house, are competent to appreciate the endurance exhibited by the gallant soldiers who spent those months upon the rocky ridge overlooking the city, the tedium of their long expectancy being relieved solely by the almost daily sorties of superior numbers, armed and drilled to perfection by their former commanders. Yet, although, as we have said, the Government and Military Departments were alike unprepared for the outbreak, and although the mutiny had cut off the besiegers from all communication with the country to the southward and eastward, we find no mention of an insufficient supply of food, of green unroasted coffee, or of horses, in the agonies of hunger, gnawing other horses' tails. These extremes of unprovidedness were confined to a siege con-

* Sir C. Napier's Report on the Military Occupation of India, dated 27th of March, 1849.

ducted on the sea-board by a force supplied with transports innumerable, and with all the markets of the Mediterranean open to their requisitions.

But although confessedly taken by surprise, the Government was, in one most essential respect, by no means unprepared for the internecine struggle forced upon it. In some of the most important positions, its defence was in the hands of men qualified in the highest sense to deal with the unexpected catastrophe. Of Lord Canning we shall have occasion to speak more at large in the sequel. But, with comparatively rare exceptions, no staff upon which the crisis compelled him to put his trust broke under the hand of the Governor-General. Lord Elphinstone nobly fulfilled his arduous and hazardous duties at Bombay. Lord Harris did well all that he had to do at Madras, to which Presidency the mutiny happily did not extend. Of those who held the Punjâb in their iron grasp, of the great chiefs Lawrence and Montgomery (of whom the former said that he never saw him dispirited but once, and that was when he feared that a regiment of Sepoys who had murdered their officers had not been properly pursued); of the band of brothers who kept the gate of India at Peshawur, and afterwards contributed so materially to the capture of Delhi —Cotton, Edwardes, Nicholson and Chamberlain—of McLeod, Becker, Richard Lawrence, Cooper, Ricketts, James, Barnes, and other younger officers—civil and military, it is superfluous to speak. But for their courage and energy Delhi could not have been taken, and our hold upon Upper India would have been lost for a time. Sir Bartle Frere proved himself fully competent to confront the imminent dangers to which he was exposed in Sind—and that is no mean praise. Lucknow was victualled by the foresight of that great soldier and statesman, Sir Henry Lawrence, and defended to the death by his indomitable valour. To the merits of Mr. Cracroft Wilson, the Judge of Moradabad, Lord Canning bears testimony in his Minute on 'the services of civil officers and others' in the following terms: 'I name him first, because he has the enviable distinction of having by his own obstinate courage and perseverance saved more Christian lives than any man in India. He did this at the repeatedly imminent peril of his own life.' The great city of Benares was kept in peace and quiet by Tucker and Gubbins, who displayed in a high degree the calm heroism of endurance. Lord Canning warmly acknowledges in the Minute above cited the services rendered to him by Sir Frederick Halliday, the Lieutenant-Governor of Bengal, throughout the crisis. He was, the Governor-General states, 'the right hand of the Government of India for many months. As the head of the Government I feel myself deeply indebted to him.' We have already spoken of the conspicuous gallantry displayed by Mr. Wake at Arrah, in defending the building fortified for the nonce by his brave comrade, Mr. Boyle, the engineer on the East Indian Railway; but we must not forget to notice, as it deserves, the heroic self-devotion with which Sir Vincent Eyre, at the head of a handful of men, chased away from their expected prey three regiments of Sepoys and the swarming retainers of Kooer Singh, who had beleaguered the little improvised fortress.

Many other officers of the Government—civil servants and military men in civil employment—rendered equally valuable service, according to their opportunities. Speaking of the North-Western Provinces, Lord Canning says:—

'The pressure of the revolt upon these provinces was severer and longer than in any other part of India, Oude alone excepted; but whilst in Oude our Government was entirely swept away, in the North-Western Provinces it retained its hold of many chief points of the country. These were held, single and isolated in a sea of rebellion; and that this was possible is due to the indomitable courage, devotion to duty, and fertility of resource which have marked the conduct of the officers of the Civil Service of India throughout this terrible time.

'They have been worthily aided and rivalled by military officers on detached employ, and by many gentlemen not connected with the Government; but it is due primarily to the officers of the Civil Service that the landmarks of British authority throughout the districts of the North-Western Provinces were not overborne in the flood.

'Of the whole body (Lord Canning states), although civilians by profession, or holding for the time civil offices, the duties which they have performed have been, for the most part, full of peril and toil. Only some few of them have been called on occasionally to take part in the operations of the army, and have thereby had the satisfaction of seeing honour done to their names in the Gazettes of the day. But there are others who have been distinguished by conduct in front of an enemy which would make any army proud of them. They have organised levies and led them; defended stations, kept in check large disaffected communities, reassured the wavering, and given confidence to the loyal. Many of them have, in the service of the State, carried their lives in their hands for months together.'

It would be ungenerous not to call special attention to the fact briefly alluded to by Lord Canning in his Minute, that many gentlemen, and others of humbler station, upon whose services the Government had no

claim, 'aided and rivalled' the efforts of the responsible authorities not only to quell the insurrections and outrages to which the mutiny of the Sepoys gave rise and encouragement, but to grapple with detached bodies of the armed and disciplined mutineers. Several of these onslaughts were eminently successful—as, for example, that led by Sir George Yule upon the mutineers passing through the Bhaugulpore Division; and they tended not merely to the discomfiture of the mutineers, but to reassure timid non-combatants as to the strength and stability of the British Government. For the wandering and plundering Sepoys, like the bands of Spartacus of old (whose depredations are commemorated by Horace), were a terror to the peaceable inhabitants, and were never welcome to any but those who rejoiced at the opportunity of resuming their hereditary habits of violence and rapine, as soon as the court of the magistrate was closed, and deeds of darkness could be committed with impunity.

But this happy presence of strong men at the posts where their courage and prompt judgment were most needed was not the only circumstance of encouragement to those who felt that they were called on to play the man in a cause so righteous, not merely for the support of British ascendency, but for the protection of helpless women and children. There were other events, which all men must regard as fortunate and many men will consider Providential, that ranged themselves on the side of the British in the hour of supreme trial. Of these one of the chief was the conclusion of the war with Persia, identical in point of time with the outbreak in Eastern India, which enabled the Government of Bombay to despatch two English regiments to Calcutta without even landing them from the vessels that had brought them from the Persian Gulf. A second favourable circumstance was the peace and quiet that reigned at that period at Madras and in Ceylon, Burmah, and the Mauritius, thus rendering a large portion of the British troops stationed in those quarters available for service in Bengal and the North-Western Provinces. Thirdly, the recent erection of the lines of electric telegraph, one of which, extending from Meerut to Lahore, afforded to the authorities at the former station the means of apprising Sir Robert Montgomery that the Sepoys had broken out into open and sanguinary mutiny—intelligence which, arriving before the news could reach their sympathising comrades at Lahore, enabled Montgomery and his gallant coadjutor, Brigadier Stuart Corbett, to disarm, without shedding a drop of blood, four native regiments, strong enough, and probably ready enough, if they could have taken their officers by surprise, to massacre all the Europeans at the Station, and greatly to endanger, at least, our hold upon the whole Punjâb. Again, the hereditary antipathy felt by the Sikhs against the men of the North-East, but especially against Delhi, where the saints of their faith had in former days been tortured and slain, led them to co-operate enthusiastically with their English rulers in all the measures taken to quell the insurrection. And, last but not least, the golden opportunity of stopping, with the patriotic consent of Lord Elgin, five British regiments, on their way to China, without the aid of which Havelock could not have avenged the massacre at Cawnpore, and have driven the tiger Nana Sahib from his bloody lair; nor could he and Outram have relieved and reinforced Lucknow, and paved the way for the eventual rescue of its brave and sorely tried garrison.

For these great national benefactions Englishmen both in India and at home may well be deeply thankful to Almighty God, since he must be a very determined sceptic who can ascribe such a series of favourable coincidences to blind chance. From how different a point of view Sir Robert Montgomery regarded the course of events in the Punjâb, the concluding passage of his Mutiny Report will evince:

'But it was not policy, or soldiers, or officers, that saved the Indian Empire to England, and saved England to India. The Lord our God, He it was who went before us, and gave us the victory over our enemies, when they had well-nigh overwhelmed us. To Him is all the praise due for nerving the hearts of our statesmen and the arms of our soldiers; for keeping peace in this part of our borders; and for finally giving us the mastery against all human probabilities, and contrary to all rules of warfare. To Him, who holds all events in His own hand, and has so wondrously over-ruled all to our success and to His own glory, do I desire, on behalf of myself and all whom I represent, to express my devout and heartfelt thanksgiving.'

These sentiments of intense and unaffected piety prevailed amongst a very considerable number of the Englishmen who governed and saved India in that crisis.

Whether of purpose or unconsciously, and because the thrilling tale that he had to tell demanded such a treatment, Mr. Kaye has followed pretty closely in the framework of this history the model set by Mr. Carlyle in his account of the French Revolution. That is to say, there is no consecutive and connected narration of events, but in its stead a number of vivid and spirit-stirring tableaux,

representing the most striking scenes of the terrible tragedy. Thus, in the present volume, the outbreak at Meerut and the irruption into Delhi, the mutinies at Benares and Cawnpore, the heroic but vain defence of the untenable position taken up at the last-mentioned place, the massacre of its gallant defenders, followed by that of the women and children, the victories achieved and the vengeance inflicted by the force under Havelock, the striking events which took place at Lahore, when the Sepoys were disarmed, as well as at several other points in the Punjâb, and the opening and progress of the siege of Delhi almost to its triumphant close, are depicted by Mr. Kaye with a degree of vigour and manifest reality which cannot fail to add greatly to his already high reputation as an historian. We shall not pretend to give our own weaker versions of the several stories so well told, but gladly present them to our readers in the glowing colours employed with such effect by Mr. Kaye.

Of the outbreak at Meerut Mr. Kaye writes:—

'It will never be known with certainty whence arose the first promptings to that open and outrageous rebellion of which these sounds and sights were the signs. What meetings and conspiracies there may have been in the lines—whether there was any organised scheme for the release of the prisoners, the burning of cantonments, and the murder of all the Christian officers, can be only dimly conjectured. The probabilities are at variance with the assumption that the native troops at Meerut deliberately launched themselves into an enterprise of so apparently desperate a character. With a large body of English troops—horse, foot, and artillery—to confront them in the hour of mutiny, what reasonable hopes could there be of escape from swift and crushing retribution? They knew the temper and the power of English soldiers too well to trust to a contingency of inaction, of which the past afforded no example. There was not a station in India at which an outbreak of native troops could appear to be so hopeless an experiment as in that great military cantonment which had become the head-quarters of the finest artillery regiment in the world. But this very feeling of our overpowering strength at Meerut may have driven the Sepoys into the great panic of despair, out of which came the spasm of madness which produced such unexpected results on that Sabbath night. There had been for some days an ominous report, of which I have already spoken, to the effect that the Europeans were about to fall suddenly on the Sepoy regiments, to disarm them, and to put every man of them in chains. In fear and trembling they were looking for a confirmation of this rumour in every movement of the English troops. When, therefore, the 60th Rifles were assembling for church parade, the Sepoys believed that the dreaded hour had arrived. The Third Cavalry were naturally the most excited of all. Eighty-five of their fellow-soldiers were groaning in prison. Sorrow, shame, and indignation were strong within them for their comrades' sake, and terror for their own. They had been taunted by the courtesans of the Bazaar, who asked if they were men to suffer their comrades to wear such anklets of iron; and they believed that what they had seen on the day before was but a foreshadowing of a greater cruelty to come. So, whilst the European soldiers were preparing themselves for church parade, the native troopers were mounting their horses, and pricking forward towards the great gaol.

'Then it became miserably apparent that a fatal error had been committed. There were no European soldiers posted to protect the prison house, in which were the condemned malefactors of the Sepoy army. The prisoners had been given over to the "civil power," and an additional guard, drawn from the 20th Sepoy regiment, had been placed over the gaol. The troopers knew what was the temper of that regiment. They had no fear for the result, so they pushed on, some in uniform, man and horse fully accoutred; some in their stable dresses, with only watering rein and horse-cloth on their chargers, but all armed with sabre and pistol. Soon under the walls of the gaol—soon busy at their work—they met with, as they expected, no opposition. The rescue began at once. Loosening the masonry around the gratings of the cells in which their comrades were confined, they wrenched out the iron bars and helped the prisoners through the apertures. A native smith struck off their chains, and once again free men, the eighty-five mounted behind their deliverers and rode back to the lines. The troopers of the Third Cavalry at that time had no other work in hand but the rescue of their comrades. The other prisoners in the gaol were not released, the buildings were not fired, and the European gaoler and his family were left unmolested. . . . . Among those who on that Sunday evening rode down to the Sepoys' lines was Colonel Finnis, who commanded the Eleventh; a good soldier, beloved by officers and by men, he had the old traditionary faith in the Sepoys which it became those who had served with them, and knew their good qualities to cherish. Strong in the belief of the loyalty of his regiment, Finnis, with other officers of his corps, went into the midst of them to remonstrate and to dissuade. He was speaking to his men, when a soldier of the Twentieth discharged his musket and wounded the Colonel's horse. Presently another musket was discharged into his body. The ball entered at his back; he fell from his horse, and a volley was fired into him. He died "riddled with bullets." Thus the Sepoys of the Twentieth had slain the Colonel of the Eleventh regiment, and the bullets of the former had been scattered in the ranks of the latter. For a little space the two regiments looked at each other; but there was no doubt of the issue. The Eleventh broke into open revolt, and fraternised with their comrades of the Twentieth. . . . . That something might have

been done to save at least a portion of the regiment we know. Captain Craigie, at the first sound of the tumult, mustered his troops, ordered them to accoutre themselves as for a parade, and when they had mounted, galloped down to the gaol, accompanied by his subaltern, Melville Clarke. They were too late to prevent the rescue of the prisoners; but not to set a grand example. Craigie and Clarke kept their men together and brought them back, with unbroken discipline, to the parade-ground of the regiment. And during that night many acts of heroic fidelity were written down to the honour of Craigie's troop. They had faith in their Captain; and it has been truly recorded of Craigie and Clarke, that "'these gallant Englishmen handled the troop as if mutiny were a crime unknown to their men."'

Mr. Kaye has commented in terms of just censure upon the very mischievous indecision and inactivity of the military authorities on the night of the outbreak, which permitted the mutineers to march away to Delhi without the loss of a man, although there were a regiment of English infantry and another of cavalry quartered at Meerut. We well remember the incredulity with which the news of a mutiny consummated with impunity, under such circumstances, was received in this country. The limits of this Article do not permit us to enter at length upon the subject, but we cannot refrain from drawing attention to a deed of remarkable daring performed by an officer in bringing a blood-stained criminal to justice. Mrs. Chambers, the wife of the Adjutant of the 11th, had been brutally murdered on the night of the 10th of May, and a butcher residing in the Great Bazaar was believed to have committed the crime. The lady's husband was lying *hors de combat* from his wounds, but his friend, Lieutenant Müller, of the same regiment, took upon him the duty of an avenger. He drove to the Bazaar, tracked out the suspected murderer, put a pistol to his head, and carried him off to the European lines, from the midst of those who a few hours before had been his associates in outrage and bloodshed. He was forthwith tried by a drum-head court-martial, convicted, and executed. If some of the many other criminals of the like deep dye had been brought to the same condign and prompt punishment, such indications of justice would probably have prevented more crimes, followed, at a later date, by more retributions.

Leaving the Meerut mutineers at Delhi, where they, together with the Sepoys quartered there and the rabble of the city, committed terrible atrocities, we turn to Mr. Kaye's narrative of the occurrences at Benares. He writes:—

'When news of these events reached Benares, crusted over in the first instance with some exaggerations, it was plain that the hour was approaching when tranquillity could no longer be maintained. But the vigorous activity of Gubbins, and the calm composure of Tucker, holding rebellion in restraint whilst succors were far off, had already saved Benares; for now fresh reinforcements were at hand, and with them one who knew well how to turn them to account. After despatching his men, as has been already told, by the railway at Raneegunge, Colonel Neill had made his way by train and horse-dawk to Benares with the utmost possible despatch, eager to avenge the blood of his slaughtered countrymen. And with this Madras Colonel came the first assertion of English manhood that had come from the South to the rescue of our people in the Gangetic Provinces. Leading the way to future conquests, he came to strike and to destroy. He was one of those who wisely thought from the first, that to strike promptly and to strike vigorously would be to strike mercifully, and he went to the work before him with a stern resolution not to spare. Both from the North and from the South, at this time, the first great waves of the tide of conquest were beginning to set in towards the centres of the threatened provinces. From one end of the line of danger Canning, and from the other Lawrence, was sending forth his succours—neither under-estimating the magnitude of the peril, but both confident of the final result. It was the work of the latter, as will be told hereafter, to rescue Delhi, whilst the former was straining every effort to secure the safety of Benares, Allahabad, Agra, Cawnpore, Lucknow, and other lesser places dependent upon them. And now assistance had really come to the first of these places. A detachment of Madras Fusiliers was at Benares, and the men of the Tenth Foot from Dinapore, whose arrival had been delayed by an accident, had also made their appearance. It was determined, therefore, that the Sepoys should be disarmed. . . . . When the order for disarming had gone forth, Colonel Spottiswoode and his officers proceeded to the parade-ground of the Thirty-seventh, turned out the regiment, and ordered them to lodge their muskets in the bells-of-arms. There were about 400 men on parade, the remainder, with the exception of one company at Chunar, being on detached duty in the station. To Spottiswoode it appeared that the men were generally well-disposed. There were no immediate signs of resistance. First the grenadier company, and then the other companies up to No. 6, quietly lodged their arms in obedience to the word of command. At this point a murmur arose, and some of the men were heard to say that they were betrayed—that the Europeans were coming to shoot them down when they were disarmed. Hearing this, Spottiswoode cried out that it was false, and appealed to the native officers, who replied that he had always been

a father to them. But a panic was now upon them, for they saw the white troops advancing. By word of command from Ponsonby, the Europeans and the guns were moving forward towards the Sepoys' lines. Opposite to the quarter-guard of the Thirty-seventh the Brigadier ordered the little force under Colonel Neill to be wheeled into line and halted. He then went forward and spoke to the Sepoys of the guard. He said that they were required to give up their arms, and that if they obeyed as good soldiers, no harm of any kind would befall them. As he spoke, he laid his hand assuringly on the shoulder of one of the Sepoys, who said that they had committed no fault. To this Ponsonby replied in Hindoostanee: "None; but it is necessary that you should do as you are ordered, as so many of your brethren have broken their oaths and murdered their officers, who never injured them." Whilst he was still speaking, some of the men shouted to their comrades on the right and left; a stray shot or two was fired from the second company, and presently the Sepoys rushed in a body to the bells-of-arms, seized their muskets, loaded and fired on both their own officers and the Europeans. Going about the work before them in a systematic, professional manner, they sent some picked men and good marksmen to the front as skirmishers, who, kneeling down whilst others handed loaded muskets to them, fired deliberately upon the Europeans from a distance of eighty or a hundred yards. Seven or eight men of the Tenth were shot down, and then the rest fell back in line with the rear of the guns. Meanwhile the officers of the Thirty-seventh, who had been providentially delivered from the fire of their men, were seeking safety with the guns; but Major Barrett, who had always protested against the disarming of the regiment, and now believed that it was foully used, cast in his lot with it, and would not move, until a party of Sepoys carried him off to a place of safety.

'To the fire of the Sepoy musketeers the British infantry now responded, and the guns were wheeled round to open upon the mutineers with irresistible grape. The English gunners were ready for immediate action. Anticipating resistance, Olpherts had ordered his men, when they moved from their lines, to carry their cartridges and grape shot in their hands. The word of command given, the guns were served with almost magical rapidity; and the Thirty-seventh were in panic flight, with their faces turned towards the lines. But from behind the cover of their huts they maintained a smart fire upon the Europeans; so Olpherts, loading his nine-pounders both with grape and round shot, sent more messengers of death after them, and drove them out of their sheltering homes. Throwing their arms and accoutrements behind them, and many of them huddling away clear out of cantonments beyond the reach of the avenging guns, they made their way to the city, or dispersed themselves about the country, ready for future mischief and revenge.

'Meanwhile, the detachment of Irregular Cavalry and Gordon's Sikhs had come on to parade. It was soon obvious what was the temper of the former. Their commander, Captain Guise, had been killed by a Sepoy of the Thirty-seventh, and Dodgson, the Brigade-Major, was ordered to take his place. He had scarce taken command, when he was fired at by a trooper. Another attempted to cut him down. But the Sikhs appear to have had no foregone intention of turning against our people. Whether the object of the parade and the intentions of the British officers were ever sufficiently explained to them is not very apparent; but they seem to have been, in this juncture, doubtful and suspicious, and it needed but a spark to excite them into a blaze. The outburst of the Irregulars first caused them to waver. They did not know what it all portended; they could not discern friends from foes. At this critical moment one of the Sikhs fired upon Colonel Gordon, whilst another of his men moved forward to his protection. In an instant the issue was determined. Olpherts was limbering up his guns when Crump, one of the Madras Artillery, who had joined him on parade, and was acting as his subaltern, cried out that the Sikh regiment had mutinied. At once the word was given to unlimber, and at the same moment there was a cry that the Sikhs were about to charge. At this time they were shouting and yelling frantically, and firing in all directions —their bullets passing over and through the English battery. They were only eighty or a hundred yards from us on an open parade-ground, and at that time our Artillery was unsupported by the British Infantry, who had followed the Mutineers of the Thirty-seventh Regiment into their lines. It was not a moment for hesitation. The sudden rush of a multitude upon our guns, had we been unprepared for them, might have overwhelmed that half battery with its thirty English gunners; and Benares might have been lost to us. So Olpherts, having ascertained that the officers of the Sikh corps had taken refuge in his rear, brought round his guns and poured a shower of grape into the regiment. Upon this, they made a rush upon the guns—a second and a third, but were driven back by the showers from our field pieces, and were soon in confused flight. And with them went the mutineers of the Irregular Cavalry; so the work was thoroughly done, and Olpherts remained in possession of the field.'

How the Fort of Allahabad was secured to us, and how Havelock fought his way from that city to Cawnpore, under a burning sun, through drenching rain, and against tenfold odds, are well told by Mr. Kaye. There are many pages here and elsewhere which we would gladly, if our space permitted, present to our readers, for the work is too long and varied to be rendered stale by such extracts. But we cannot refrain from quoting a passage from Mr. Kaye's account of Havelock's last victory, achieved on the day before he entered Cawnpore, too late, alas! to save the doomed victims of the Nana's fiendish cruelty.

'The awful work,' writes Mr. Kaye, 'of charging heavy guns, well served by experienced gunners, was now to be commenced, and the Highlanders, led by Colonel Hamilton, took the post of honour, and were the first to charge. The shrill sounds of the pibroch from the bag-pipes in the rear seemed to send them all forward as with the force of a catapult. The rush of the kilted soldiers, with their fixed bayonets, cheering as they went, was what no Sepoy force could withstand. Strongly posted as the guns were in a walled village, village and guns were soon carried, and there was an end to the strength of the enemy's left.

'The Sepoy troops fled in confusion—some along the Cawnpore road, others towards the centre of their position, where a heavy howitzer was posted, behind which for a while they rallied. There was more work then for the British Infantry. A few minutes after their first grand rush they had gathered breath, and fallen again into orderly array. Then Havelock challenged them a second time with a few of those spirit-stirring words which, from the lips of a trusted general, are as strong drink to the weary soldier, and every man felt invigorated and equal to any work before him. The Highlanders responded with a cheer, and, followed by the Sixty-fourth, flung themselves on the trenchant howitzer and the village which enclosed it, and again the burst was irresistible. The gun was captured and the village was cleared. For, just at this critical moment, the little body of volunteer cavalry, composed mainly of English officers, appeared upon the scene, flushed with a noble enthusiasm, resolute and dauntless, determined to show with their flashing sabres what they could do against any odds. Never was there a more heroic charge. It was the charge of but eighteen. Captain Barrow led it; and among those who went into action was Captain Beatson, who had been struck down by cholera, and who was powerless to sit his horse; but, dying as he was, he could not consent to lose his chance of taking his part in the great act of retribution. So he placed himself upon a tumbril and was carried into action, and as dear life was passing away from him, his failing heart pulsed with great throbs of victory. The sabres of the eighteen were less bright and sharp after they had encountered the enemy. When they drew rein, diminished in numbers—for horses and riders had been shot down—the footmen of the British army saluted them with a ringing cheer, and the General again and again cried, "Well done! I am proud to command you!" It was this body of "Gentlemen Volunteers," into which the "Bayard of the Indian Army"—James Outram—felt it, a month afterwards, a high privilege to enlist, when he might have commanded the whole of the force.'

We find it extremely difficult to make our selections. There is so much of deep interest in itself, so much that deserves special notice for the honour of the brave man, or men who wrought the good work, and so much that would shed reflected brightness upon our pages, that the temptation to transcribe passage after passage is almost irresistible. A few sentences from Havelock's order after entering Cawnpore we must quote, because it tells in a few words what his gallant little force had endured and achieved: 'Soldiers,' he said, 'your general is satisfied, and more than satisfied with you. He has never seen steadier or more devoted troops. Between the 7th and the 16th, you have, under the Indian sun of July, marched a hundred and twenty-six miles, and fought four actions.' Were not these men worthy compatriots of Cromwell's Ironsides, 'whose backs no enemy had ever seen,' and of the Light Division which turned the tide of battle at Albuera?

We have no spirit to repeat the heart-rending story of the siege, surrender, and massacres at Cawnpore. It is well told by both Mr. Kaye and Mr. Trevelyan, and these narratives may be dwelt upon with mingled grief and pride by every Englishman who has tears for the terrible sufferings and honour for the dauntless courage of his countrymen. Mr. Trevelyan relates in graphic language, how the four brave men, the sole survivors of the butchery at the Ghât—Captains Mowbray Thompson and Delafosse and privates Sullivan and Murphy—baffling their pursuers, swam and floated down the stream of the Ganges till they landed in Oude on the estate of a benevolent Rajah, Dingbijah Singh by name, whose tenants and retainers appear to have been animated by the same spirit as their landlord, and by whom they were most kindly and hospitably entertained, in spite of the requisitions of the Nana that they should be surrendered to his tender mercies. This generous gentleman, whose reception of the fugitives must have exposed him to much risk both from the mutineers of Cawnpore and from his countrymen in arms against the British Government, kept them in safety for several weeks in his fort of Noorar Mhow, where 'the soldiers of the Cawnpore brigade were indulged in frequent interviews with their former officers, always in the presence of a detachment of the Rajah's body guard.' They were then sent, for their greater security, to a village of the Rajah's on the bank of the river, and from thence to a friendly landowner on the other bank, by whom they were 'packed off towards Allahabad by a cross road, in a bullock cart without springs, preceded by an escort of four armed retainers. After bumping along for an hour, the driver stopped, and informed them in low and agitated tones that there were guns ahead, planted athwart their path. And so they alighted, these wayworn fugitives, solicitous to learn whether they should again have to run, and

swim, and lurk and starve; and they crept stealthily along the edge of the road; and turning the corner, found themselves within a few yards of the white and freckled face of an English sentry.'

The good and kind Rajah was meetly rewarded by a pension from the British Government, whom he had so faithfully, as well as boldly, served in the persons of their soldiers. But we must deeply regret, with Mr. Kaye, that the Victoria Cross was not conferred upon the three who survived (for poor Sullivan died of cholera, shortly after his deliverance) the fearful catastrophe which consigned so many brave men and devoted women to untimely graves. Well earned, beyond question, were those insignia of heroism by those than whom, in the language of Mr. Kaye, 'since in the days of ancient Rome, the three kept the bridge, there have been none more worthy of all the honour that a Sovereign or a nation can bestow on the doers of brave deeds, than those who held the temple on the banks of the Ganges, and fought their way through the armed multitude thirsting for their blood, until from village to village there ran the cry that the Englishmen could not be beaten.'

We trust that we are mistaken in our conjecture that these brave soldiers did not receive the special reward in question, because no commanding officer survived the slaughter to recommend that it should be bestowed upon them.* Murphy was, and, we hope, still survives to be, the honoured custodian of the garden which surrounds the monument erected over the well that holds the remains of the victims of the crowning massacre of Cawnpore.

We turn from the contemplation of what Mr. Kaye justly calls 'the heroism of defeat,' as exemplified in the devoted endurance of the brave men appointed to die at Cawnpore, to the narrative of the energy and courage which first saved the Punjâb from the foul treachery of the mutineers, and then culminated in the storming of Delhi. Without the reinforcements so largely contributed by the Punjâb, Delhi could not have been taken; unless the Sepoys had been disarmed in the Punjâb, the presence of the English regiments, of the Guides, and of other faithful corps, could not have been dispensed with in that province. The first step to this end was taken at Lahore. With what a happy union of prudence and daring this object was effected, Mr. Kaye records in pages which it costs us very sensible self-denial not to transcribe at length. We have space for but a few leading incidents. The disarming of our native regiments, so often and severely tried and found faithful through a long series of eventful years from Plassy to the bloody encounters with the Sikhs, was a very serious and hazardous measure, and one, too, that was well known to be extremely repugnant to the opinions and feelings of their English officers. But the intelligence which the telegraph had brought from Meerut, and what was known of the restless temper of the Sepoys, rendered it clear to Sir Robert Montgomery that the boldest step was also the safest, probably the only safe one. He did not, however, proceed rashly. He sought for trustworthy information:—

'On his suggestion,' writes Mr. Kaye, 'Captain Richard Lawrence, Chief of the Police and Thuggee Departments in the Punjâb, commissioned the head writer of the Thuggee Office, a Brahmin of Oude, to ascertain the feelings and intentions of the Lahore troops. A better agent could not have been employed, for his were both the country and the caste of the most influential of the Sepoys. He did his work loyally and well. Scrupulous as he was on the score of caste as any Brahmin in the service, he had no sympathy with treacherous machinations of men who were eating the salt of the British Government and were under the kindly care of its officers, and he brought back to Richard Lawrence, after brief but satisfactory inquiry, tidings that the regiments at Meean-Meer (the cantonment of Lahore) were ripe for revolt. "Sahib," said the faithful Brahmin, "they are full of fisad (sedition), they are up to *this* in it," and he laid his hand upon his throat. It was plain that they were only waiting for information from the countries below to break into open mutiny.'

After much discussion and some hesitation (a middle course of depriving them of their ammunition having been proposed), it was determined to disarm the Sepoys, and a parade for that purpose was ordered to take place on the following morning. A ball was given in the cantonment on that night, and it was attended by all the officers, some few conscious, but the great majority quite unaware, of what was impending; for silence and secresy were essential to success. So they danced on till morning, grumbling, meanwhile, at having to attend an early parade, following close on such a festival.

* In the same spirit, Sir Vincent Eyre, whose relief of Arrah was, perhaps, the most brilliant exploit of the war, because the disproportion of numbers was the greatest (the story is very well told in Mr. Trevelyan's 'Competition Walah'), was refused the knighthood of the Bath, on the ground that he had retired from the service before the claim was put forward. As the deed of daring was done in August 1857, and Sir Vincent did not retire till September 1863, one would suppose that there was abundant time in the interval to bestow upon him 'the cheap reward of nations,' so well earned.

'But,' writes Mr. Kaye, 'when the hours of morning darkness were past, and day had dawned upon Meean-Meer, other thoughts than these took possession of the Sepoy mind. The Brigade assembled on the parade-ground. There was nothing peculiar in the appearance of that assembly, except that Montgomery, Roberts, and others of the chief civil officers from Anarkullee, were to be seen mounted on the ground. Every soldier obeyed the orders that were issued to him. The regiments were drawn up in line of contiguous columns. The Artillery and Eighty-first (not numbering more than two hundred and fifty men) were on the right, the Native Cavalry on the left, and the Infantry regiments in the centre; the white men appearing as a mere dot beside the long line of the blacks. At the head of each regiment was read aloud the Government order disbanding the mutinous Thirty-fourth at Barrackpore. These formal proceedings over, the serious business of the morning commenced. The Native regiments were ordered to change front to the rear, and at the same time the Eighty-first also changed front so as to face the Sepoys; the Artillery, then in the rear, loading their guns unseen by the Native regiments. When this manœuvre, which seemed whilst in execution to be only a part of the brigade exercise of the morning, had been accomplished, a staff officer, Lieutenant Mocatta, Adjutant of the Twenty-sixth Regiment, who could speak the Native languages fluently and correctly, was ordered forward by the Brigadier to read his address to the Sepoys. He did it well in a clear loud voice, explaining to them that now a mutinous spirit having evinced itself in other regiments, and brought many good soldiers to certain destruction, it was better that the distinguished regiments at Meean-Meer, which had done so much good service to the State, should place themselves beyond the reach of temptation by surrendering all means of offence; so they were ordered to "Pile arms."

'Whilst this address was being delivered to the Sepoys, the Eighty-first fell back by subdivision between the guns; and when the word was given to pile arms, the Native regiments found themselves face to face with a long line of Artillery, and a row of lighted portfires in the hands of the English gunners. At the same time the voice of Colonel Renny rang out clearly with the command, "Eighty-first, load!" and then there was the rattle of the ramrods, which told that there was death in every piece. For a minute the Grenadiers had hesitated to obey the order; but thus confronted, they saw that to resist would be to court instant destruction; so they sullenly resigned themselves to their fate, and piled their muskets to the word of command, whilst the Cavalry unclasped their belts and laid their sabres on the ground. The Eighty-first then came forward and removed the arms, for which a large number of carts were waiting near the parade-ground, and the Sepoys went baffled and harmless to their lines. It was a great design executed with consummate skill; and if by a first blow a battle was ever won, the battle of the Punjâb was fought and won that morning by Montgomery, Corbett, and Renny.'

There were many other points of peril in the Punjâb, but the chief of these, beyond all comparison, was Peshawur. For not only was a large native force quartered there, but the border tribes, savage, warlike, and predatory, with the Affghans to back them, were known to be ready not merely, as always, for plunder, but to take advantage of any opportunity to recover for the Moslem the territory which Runjeet Singh had wrested from them. Happily this important post was held by men as prompt and bold to confront any emergency, as Montgomery and Corbett; and that is no light commendation. We have already mentioned the worthy names of those upon whom it devolved to determine the course of action, and their several characters and respective careers are well delineated by Mr. Kaye. The odds against them were heavy. 'Counting up all the components of the troops in the valley, it may be said, in round numbers, that there were 2,500 Europeans and 10,000 natives; and that only a tithe of the latter could be trusted by their English officers.' And the vehement opposition of these officers to any decided measure was to be overcome. But the disarming of the Sepoys was felt by the chief political and military authorities to be essential to the safety of the frontier. And so that measure was resolved on, and thus carried out:—

'It has been stated that the Peshawur force had been wisely cut in two, as a precautionary measure, by Brigadier Cotton. It was now arranged that Edwardes should accompany Cotton to the right wing, whilst Nicholson went to the left with Colonel Galloway of the Seventieth Queens, who stood next in seniority. With the former were her Majesty's Eighty-seventh Fusiliers, with the latter the Seventieth, both with detachments of Artillery to support them. It was a moment of intense anxiety. The Sepoy commandants were parading their men, and the Queen's regiments were lying in wait to attack them on the first sign of resistance. The suddenness of the movement took the Sepoys aback; they laid down their arms to the bidding of their own officers.'

The immediate and happy result of this step is thus told by Mr. Kaye:—

'The arms surrendered, Brigadier Cotton addressed the regiments, praising them for the readiness with which they had obeyed orders; and they went to their lines. Thus was the work done well and thoroughly—and without the shedding of a drop of blood. The effect upon the minds of the people was magical. They believed that we were strong because we were daring. The old aphorism, that "nothing succeeds like success" was here triumphantly

verified. The tribes who had held aloof whilst danger threatened us and the issue was doubtful, now pressed forward eagerly to do homage to the audacity of the English. Without another halt of doubt, or tremor of hesitation, they came forward with their offers of service. "As we rode down to the disarming," said Herbert Edwardes, "a very few chiefs and yeomen of the country attended us, and I remember, judging from their faces, that they came to see which way the tide would turn. As we rode back, friends were as thick as summer flies, and levies began from that moment to come in." Good reason indeed had Sir John Lawrence to write to the Peshawur Commissioner, with hearty commendation, saying: "I look on the disarming of the four corps at Peshawur as a master-stroke—one which will do much good to keep the peace throughout the Punjâb. Commandants of corps are under a delusion, and whilst in this state their opinions are of little value. . . . We are doing well in every district—Beecher famously."'

This wisely bold course of policy was persistently followed out in the Punjâb. A moveable column was formed for the purpose of patrolling the province, and Neville Chamberlain was appointed to command it. With one or two exceptions, the Sepoys were successfully disarmed. Many brave deeds were done, none more worthy of record than that achieved by Mr. George Ricketts, the Deputy Commissioner of Loodiana, on the banks of the Sutlej. Two regiments of Native infantry and one of cavalry had mutinied at Jullundhur, and although a regiment of Europeans (the 8th) and a considerable force of artillery were also quartered at that station, the mutineers were allowed to march away to Phillour (where they were joined by a third regiment of Sepoys), *en route* to Delhi, after wounding several of their officers, with no other loss than that inflicted by two or three rounds of grape, fired on them, without orders, by a troop of Native horse artillery, the only one, we believe, that remained faithful throughout the mutiny. Mr. Ricketts was informed of this outbreak by a telegram from Umballa, and Mr. Thornton, his assistant, who had gone to Phillour with the pay of the Native regiment quartered there, heard enough of what had happened at Jullundhur to lead him to take back the rupees, and to break the bridge of boats over the Sutlej. Mr. Ricketts determined to do his utmost with a most inadequate force (three companies of Rothney's Sikhs, under Lieutenant Williams, some horse and foot of the Rajah of Nabba, and two guns, a six and a nine pounder), to arrest the march of the mutineers until the Europeans and artillery from Jullundhur, whom he believed to be close at their heels, should come up to avenge their misdeeds. On reaching the river, he crossed in the ferry-boat, and walked alone along the bank to Phillour, in order to ascertain what had become of the mutineers. He found that they had proceeded to a ford about four miles up the river, and thither, after recrossing, he led his little force. Owing to the character of the ground, he did not reach his point till past 10 P. M., and then, going forward with Lieutenant Williams to reconnoitre, he was challenged and fired upon by the sentries, and found that fully three-fourths of the mutineers had crossed the river, and were grouped upon the hither bank. They fired wildly in the dark, the horses of one of the guns took fright, and ran off with the limber, and the soldiers, horse and foot, of the Rajah followed their example. Mr. Ricketts brought his remaining gun to bear upon the enemy with grape, the Sikhs poured in a well-sustained fire of musketry; and it was not till Lieutenant Williams and many of his men were hit, and the ammunition of his gun exhausted, that after maintaining the unequal conflict for nearly two hours, in expectation, at every moment, that the pursuers from Jullundhur would appear, he was compelled to retreat to Loodiana, where—the brigadier still loitering on the road—he had the mortification of seeing the city looted, the premises of the missionaries burnt, the prisoners let loose, and the rabble triumphant, until the mutineers marched off, unpunished, to Delhi. There, no doubt, a fitting retribution awaited them, while Mr. Ricketts laid a heavy hand upon the shawl-weavers from Cashmere, and the low Mahomedans who had lent their ready aid to the mutineers in the congenial work of devastation and plunder.

It was, under the blessing of God, by such men and such deeds as these, by the victory of the undaunted few over the many who fought under the paralysing pressure of an abiding consciousness that they were false to their solemn oaths and to the salt which they had eaten during long years of kindly and indulgent treatment, that the Empire of India was maintained for England. Mr. Ricketts had his reward in the appreciation of his conduct by such men as Canning, Lawrence, Montgomery and Nicholson, and in the honour conferred upon him by his sovereign. And this gallant gentleman was but a type and representative of many who put their lives to hazard in that memorable year, no less for the welfare of India than for the honour of England. For what more terrible calamity could have befallen the people of that fair land, than that the Sepoys and those who aided and abetted them in that struggle for mastery—the *soi-disant*

Princes of Delhi and the Nana of Cawnpore at one end of the scale, and the Gougurs and liberated convicts at the other—should have crushed the British power, and have made themselves masters of India?

Our remarks upon what we may justly call Mr. Kaye's great work would be very incomplete if we neglected to direct the particular attention of our readers to the opening pages of the last chapter of this volume, in which is recorded the discussion between Sir John Lawrence and several of his ablest lieutenants upon a question of the greatest moment. The discussion was long and animated, but the question at issue between the disputants may be told in very few words. The Lieutenant-Governor held that the capture of Delhi was a matter of such paramount importance, that all other considerations, inconsistent with the attainment of that great end, must be regarded as light in the balance; and that if more troops were required to accomplish it than had already been contributed by the Punjâb, that need must be supplied, even at the expense of withdrawing the whole force from Peshawur, and abandoning all the territory beyond the Indus to the Affghans. Those who dissented from this opinion—Edwardes, Cotton, Nicholson, and James, held with equal tenacity, that to retire from before Delhi—'re infectâ'—deplorable as the event would be, would be the lesser of the two evils, and, therefore, the one which, in case of absolute necessity, it behoved us to choose. The dilemma was one of intense difficulty, and, judging from the passages which Mr. Kaye has quoted from the correspondence, the question appears to have been argued on both sides with great ability. So much so, indeed, and the conflicting arguments are so nicely balanced, that both the disputants seem to us to have proved, to their own satisfaction at least, that the result would have been the loss of our hold upon the whole of the North-Western Provinces in the one case, and on the Punjâb on the other, leaving the eventual recovery of the lost territory to the army that mustered under the command of Lord Clyde. Mr. Kaye appears to award the palm in this disputation to Sir John Lawrence, intimating that the distinguished officers who differed from him, being under the influence of local prepossessions, necessarily took a more narrow view of the question than their chief. To us—while we differ with great reluctance from the master-mind of that eminent statesman—a consideration presents itself which appears sufficient to turn the scale against him. If it had been thought necessary to raise the siege of Delhi, there was no reason why the British force, though baffled by its walls, should not have kept the field, still less why it should have broken up from its position in disorder. There could not have been better fortune for that force than that the Sepoys should have come out from behind their fortifications to attack it on the plains. Nicholson's success at Nujufghur, and the repeated victories of Havelock on his advance to Cawnpore over the mutineers, in both cases strongly posted, to say nothing of minor instances, prove to demonstration how utterly unable the Sepoys were to stand against us in the open field. There was no necessity that we should have beaten a hurried and disastrous retreat to the Punjâb (which, by the hypothesis, would have been rendered secure by the troops withdrawn from Peshawur), as Sir John Lawrence appears to have assumed. The whole area of the North-Western Provinces was open to us, and nothing but gross mismanagement, such as those who commanded our force were not likely to have been guilty of, could have permitted the Sepoys to slip by us without fighting, in order to join their brethren at Lucknow. Whatever might have been lost for the moment would have been easily regained by the large force which England was sending to the rescue, and Delhi would have fallen as certainly as Lucknow. On the other hand, the abandonment of Peshawur would have involved the permanent loss of the whole trans-Indus territory, together with the command of the hither end of the Kyber-Pass—a frontier post vastly superior to any that could be found upon the Indus. Its immediate consequence must have been the sacrifice of our military prestige in the most important quarter, to the utter discouragement and probable defection of the chiefs and their retainers, from whom Colonel Edwardes was raising the most efficient recruits to supply in the Punjâb the place of the troops despatched to Delhi. Add to this, that the great distance of the Upper Indus from the seaboard would have rendered the eventual vindication of British authority on that frontier most difficult. Happily the painful necessity of making a choice was not felt, for Lord Canning replied to Sir John Lawrence's telegram that our troops should stand fast at both points, and so Delhi was taken without stripping the Punjâb beyond its capacity for self-support.

We cannot close to better purpose our necessarily brief notice of the progress of events in the Punjâb than by placing upon record the names and services of two soldiers distinguished above their fellows (and that, in itself, is no mean glory), in that fierce struggle, of which neither survived to witness the

triumphant issue. We speak of Nicholson and Hodson, men essentially different in character, but both daring to the very verge of rashness, and both endowed, in the largest degree, with that highest and rarest of moral qualities—the power of leading and governing their fellow-men. Of Nicholson Lord Lawrence says, in his Report of the 25th of May, 1858:—

'Brigadier-General John Nicholson is now beyond human praise and human reward. But so long as British rule shall endure in India, his fame can never perish. He seems especially to have been raised up at this juncture. He crowned a bright though brief career by dying of the wound that he received in the moment of victory at Delhi. The Chief Commissioner does not hesitate to affirm that without John Nicholson Delhi could not have been taken.'

How well are General Nicholson's life and death celebrated, 'mutato nomine,' by Lord Byron:—

'Honour to Marceau! o'er whose early tomb,
Tears, big tears, gushed from the rough soldier's lid,
Lamenting and yet envying such a doom.
* * * * *
Brief, brave, and glorious was his young career.
* * * * He had kept
The whiteness of his soul, and thus men o'er him wept.'

Hodson had not reached the height of command to which Nicholson attained, but of him it is recorded that Lord Clyde shed tears on his grave, saying that 'he was the greatest soldier he had ever known.' The like testimony is borne to his memory by a comrade who had received seven wounds while serving under his command: 'I am no friend of Major Hodson's, dead or alive; but if you speak of him as a soldier, there is no man above ground to be compared with him.'

These are specimens—picked, indeed—of the men who eat in those days the salt of that old 'Company of merchants,' whom it is now the fashion to vilipend and misrepresent, but there were hundreds in 1857-58 who did not lag far behind them in bravery and self-devotion at least. And the proof—'monumentum ære perennius'—is the preservation of India to England.

Chapters IV. and V. of Mr. Kaye's Book VI. are devoted to a narrative of the siege of Delhi, but as they stop short of the final catastrophe, they read like a tragedy shorn of its fifth act. The subject—full of interest—may better be treated as a whole on some future occasion. But we cannot deny ourselves the pleasure of transferring one episode to our pages. A body of Irregular Cavalry from Delhi had made a sudden and, for a time, a successful foray into the British camp. They had been mistaken—the uniform being the same—for our own Irregulars, some of whom were more than suspected of being in complicity with them. They rushed furiously upon a piquet of the Carabineers, who were supported by two horse-artillery guns. These, for the reason given above, did not open fire.

'But,' says Mr. Kaye, 'there was something much worse than this. The mistake of the British Artillery was followed by the disgrace of the British Cavalry. As the Irregulars of the Eighth from Delhi swept on, the detachment of Carabineers, which formed a part of the piquet, turned and fled. Stillman, who commanded them, remained alone at his post. The first error was soon discovered. Hills, who was in charge of the Artillery—two horse-artillery guns—of the piquet, saw presently that it was a hostile attack, and ordered out his guns for action. But the enemy were upon him; he had not time to open fire. In this emergency, the dashing Artillery subaltern—a man of light weight and short stature, young in years, but with the coolness of a veteran and the courage of a giant—set spurs to his horse and rushed into the midst of the advancing troopers, cutting right and left at them with good effect, until two of them charged him at the same time, and by the shock of the collision both horse and rider were thrown violently to the ground. Regaining his feet after his assailants had passed on, he recovered his sword in time to renew the combat with three Sowars, two mounted and one on foot. The two first he cut down, and then engaged the third, a young, active swordsman of good courage, who came fresh to the encounter, whilst Hills, scant of breath and shaken by his fall, had lost all his first strength, though none of his first courage. The heavy cloak, too, which he wore as a protection against the rain, dragged at his throat and well-nigh choked him. The chances were now fearfully against him. Twice he fired, but his pistol snapped, and then he cut at his opponent's shoulder. The blow did not take effect; and the trooper watching his opportunity, clutched at the English subaltern's sword and wrested it from him. Hills then closed with his enemy, grappled him so that he could not strike out with the sabre, and smote him with clenched fist again and again on the face, until the Englishman slipped and fell to the ground.'

Major Tombs, commanding the troop, was in the artillery mess-tent when the alarm was given:—

'He hurried to his own tent, took his sword and revolver, and ordering his horse to be brought after him, walked down to the aroused piquet. As he approached the post, he saw the Carabineers drawn up in mounted array, and our guns getting ready for action. In a

minute there was a tremenduous rush of Irregular Horse, the troopers brandishing their swords and vociferating lustily; and then there was to be seen the sad spectacle of our Dragoons broken and flying to the rear, whilst one of our guns went to the right-about, some of the horses mounted and some riderless, and galloped towards our camp. Tombs was now in the midst of the enemy, who were striking at him from all sides, but with no effect. A man of a noble presence, tall, strong, of robust frame, and handsome countenance, dark-haired, dark-bearded, and of swart complexion, he was, in all outward semblance, the model of a Feringhee warrior, and the heroic aspect truly expressed the heroic qualities of the man. There was no finer soldier in the camp. Threading his way adroitly through the black horsemen, he ascended the mound, and looking down into the hollow where his two guns had been posted, he saw the remaining one overturned, the horses on the ground, struggling in their harness or dead, with some slain or wounded gunners beside them. Near the gun he saw the prostrate body of Hills apparently entangled in his cloak, with a dismounted Sowar standing over him with drawn sword, about to administer the death-stroke. At this time Tombs was some thirty paces from his friend. He could not hope to reach the enemy in time to cut him down with the sabre; so resting his revolver on his left arm, he took steady aim at the trooper, who was turned full-breasted towards him, and shot him through the body. The blood oozed out through the white tunic of the wounded rebel, and for a while at least Hills was saved.

'But the danger was not yet passed. Tombs helped his fallen subaltern to rise, and together they ascended the slope of the mound. As they were watching the movement of the enemy they saw a little way beneath them another dismounted Sowar, who was walking away with Hills' revolver in his hand. They made at once towards him. He was a young, strong, active trooper, who turned and attacked them with his sword, as one well skilled in the use of the weapon. His first blow aimed at Hills was parried: then he struck at Tombs, who with like address guarded the cut. But the third blow struck with despairing energy, as he sprang upon the younger of his opponents, broke down Hills' guard, and clove the skull to the brain. In a moment he had turned upon Tombs, who coolly parried the blow and drove his sword through the trooper's body.'

It is pleasant to be able to add that Major Tombs' modesty was as signal as his courage. Mr. Kaye states, quoting Mr. Greathed's Letters:—'Tombs' account of the affair of the 9th when the enemy's horse rode through our camp, was torn up by Colonel Mackenzie. He had omitted to say a word about himself, so Mackenzie gave the General the true version.' Both the actors in this conflict had fairly earned, and duly received, the Victoria Cross.

It remains to speak of Lord Canning, how he bore himself throughout the storm that had fallen on him so unexpectedly and with such violence, and how his conduct was appreciated by the press—and we must add with sorrow—by a large portion, at least, of the public of Calcutta. It is but bare justice to say that he displayed a calm courage and magnanimity above all praise; and the animosity of those who assailed him would seem to have been excited by his steady refusal to share their terrors. For it is a humbling fact that the conduct of Englishmen in India during 1857 was—generally speaking—in an inverse ratio to the dangers to which they were respectively exposed. Those who were in real and daily peril, and who 'carried,' in the words of Lord Canning, 'their lives in their hands for months together,' manifested, with the rarest exceptions, a courage worthy of their race. On the other hand, those who, like the people of Calcutta, were beset by no other enemies than the phantoms of their own morbid imaginations, oscillated between groundless panics and cries for vengeance upon all whom they fancied to be thirsting for their blood. And they could not forgive the Governor-General for being so composed when they were in a state of spasmodic excitement. While he was labouring night and day to draw succours from all quarters, while he showed such a contempt of personal danger as to sleep with a sepoy sentinel at his chamber-door, they accused him of indifference to the safety of the British community because he declined to believe, with them, that thousands of armed rebels were lurking in the creeks and rice fields around Calcutta, or to comply with their urgent demand that he would proclaim martial law in districts where there was not a British soldier to enforce it. They urged their misrepresentations with such bold persistency that the leaders of the Opposition in the House of Commons were misled into objecting to include the name of the Governor-General in the vote of thanks to those who had deserved well of their country, until he had rebutted the charges of his assailants. We believe that a newspaper published in England was the principal offender. Lord Canning felt the scorn of a brave man for these poltroons, and he wrote, 'I am ashamed to say that men with swords by their sides are going about with their tails between their legs.'

When we said that Lord Canning slept with a sepoy sentry at his door, we used no vague phrase. For many weeks after the mutiny had broken out he had no other protection by day or by night, and he would, we believe, have sought no better, if Sir Frederick Halliday, the Lieutenant-Governor

of Bengal, had not remonstrated with him, on the wrong that he was doing to the cause of which he was the chief guardian by incurring a risk of possible assassination at the hands of men, who, however faithful they might be to-day, were the slaves of impulse, and liable to be driven by any one of a variety of motives into the most ferocious outrage on the morrow. It was not till he had urged upon the Governor-General the unspeakable value of his life, at that crisis, to his country, that he prevailed on him to give orders that an English guard should be posted at Government House.

We should not have deemed it fair to bring charges so serious against a body of Englishmen, many of whom no doubt were as brave and devoted as their brethren who fought at Delhi and Lucknow, if we had not the proofs in our possession not merely of the facts of the case, but also of the trouble and vexation which the childish panics and perverse misrepresentations got up in Calcutta, inflicted upon the Governor-General at a time when his mind was taxed to the uttermost by the important cares and anxieties which demanded his undisturbed attention. We have before us a paper, extending, with its appendices, to thirty-nine pages, in which are embodied a selection of the statements impugning the character and conduct of Lord Canning, which were either published in Calcutta or forwarded from thence to be given to the public in England by those newspapers which might be found willing to disseminate such malignant trash. It is not too much to say that every word of these statements which is not grossly false is founded upon a fact so distorted and coloured as to be equally intended and fitted to mislead. We should fill too much of our space with worthless matter if we specified in detail even a tithe of the charges and their refutations. As specimens of the utter untruths, we may mention the stories that Sir Colin Campbell refused, on his arrival in Calcutta, to take his seat at the Council Board, because full powers were denied to him; that he had frequent angry altercations with the Governor-General, and had actually taken his passage back to England in consequence; that Lord Canning had received and neglected more warnings than one of the impending mutiny; that cannons were publicly sold to natives in Calcutta, and sent up to Arrah, where they were used in battering Mr. Boyle's little fortification; that an attempt was made to pull down the British standard at Fort William, and to hoist the green flag of Mahomet in its stead, for which act of treason two men had been executed; and that the good and lamented Lady Canning had been heard to speak of the rebels as 'the poor dear Sepoys.' All these, and many more, were pure and wilful inventions, without a shadow of foundation. Others, as we have said, consisted of truth and falsehood mixed up in such proportions as to serve the purpose of maligning the Governor-General as well as pure lies. And the conclusion arrived at was that he was hopelessly imbecile, incapable, and in the hands of his secretaries, and ought—if India was to be saved—to be immediately recalled; and a petition to this effect was forwarded to England.

A statesman as able and as brave as Lord Canning, but unendowed with his noble sense of duty and power of bearing up against misconstruction and wrongful imputations, would have broken down under such a complication of difficulties; and the loss to India and England at that crisis would have been irreparable. But his mind was of a finer temper. He bore the abuse unjustly heaped upon him, as he bore the unavoidable anxieties and labours of his position, with a calm patience which baffled and disappointed the malignity of his assailants. Upon one, at least, of those who attacked his policy most bitterly, he heaped coals of fire. He was eminently magnanimous, and he gave a signal proof of it, in that he was not afraid to show mercy to defeated and suppliant rebels. In him England lost a statesman whose knowledge of a subject too little understood—how India should be governed—rendered his life of extreme value to her;—a statesman perhaps the most distinguished of five, whose death in the prime of life, within three short years, so sadly thinned the front rank of the Liberal party.

In taking leave of the authors upon whose works we have commented, we are bound to bear testimony to the spirit and fidelity with which Mr. Trevelyan, selecting for his subject a single scene in the great drama, has told the melancholy tale of the defence and fall of Cawnpore. He has done full justice to the brave men who bore up, hoping against hope, in that fierce struggle for their own lives and the lives of the helpless ones committed to their charge; and those who are bound by ties of blood or friendship to any of the victims of the unequal fight, or of the subsequent massacres, owe a debt of gratitude to the writer who has put on lasting record so true and touching a narrative of their brave deeds, and of their no less heroic endurance.

Before we conclude we have a word or two to say to Mr. Kaye. And we think it will be well if we acquit ourselves, in the

first instance, of the disagreeable part of our duty. We have already remarked that the chapter which records the intrigues in the palace at Delhi was almost the only blemish in the work under review. The qualifying phrase relates in a minor degree to some peculiarities of style, which we feel bound, as honest critics, to comment upon. We feel that Mr. Kaye sometimes sins against good taste by the stilted and turgid language that he employs in describing actions, but more frequently persons. He is so thorough a master of his craft, that no writer stands in less real need of such adventitious aid to give force to his natural style. Mindful, however, of Horace's maxim touching great beauties and small spots, we are satisfied with submitting the point to his own calm judgment. We had also, and far more strongly in our mind, a passage (pp. 297–9) respecting the adopted son of the last Peishwa, commonly called the Nana Sahib, the cold-blooded murderer—not of men only, but of women and children also, at Cawnpore. Mr. Kaye writes of him in this, as in the former volume, as one who had suffered such grievous wrong at the hands of the British Government that nothing short of utter fatuity could have led its servants to expect the slightest aid from him. He was a disappointed man. 'Of course,' says Mr. Kaye, 'the whole story of the disappointment was on record. Had it not gone from Calcutta to London, from London back to Calcutta, and from Calcutta again to Cawnpore? And did it not cover many sheets of foolscap?' There is more of the same sort of banter about civilians who could see 'no earthly reason why Doondoo Punt (the Nana) should not accept his position quietly, submissively, resignedly, after the fashion of his kind.' Now all this, coupled with the statements in Vol. I., to which Mr. Kaye carefully refers in two foot-notes, implies, to say the least, that the Nana Sahib did not act his atrocious part without strong provocation, and that the English authorities who put any trust in him were fatuous beyond the bonds of ordinary folly. But the plain fact is that this blood-thirsty Mahratta, treacherous after the habit of his race, had suffered no injury at all. His father, by adoption, had received a pension of £80,000 a year, which Sir John Malcolm, who had promised it, defended, when the Governor-General hesitated to sanction so large an amount, on the grounds, first, that it was simply a grant for life, and, secondly, that it would have cost us far more to have hunted our fugitive enemy down, if he had not been induced to surrender himself. We wish that Mr. Kaye would speak out. Does he consider it wise and proper to continue a lapsed pension, to which he has no just claim, and which must be paid by the people of India to the adopted son of the deceased pensioner, lest he should consider himself injured by the denial, ally himself with our mutinous Sepoys, and murder Christian men, women, and children?

It only remains that we should express our sincere admiration of the manner in which Mr. Kaye has performed the arduous task which devolved on him when he undertook to write a history of the Sepoy War in India. His chief difficulty lay, as stated in the preface to this volume, in the vast area over which the struggle extended, and the general synchrony of the events to be described. Mr. Kaye has dealt with this difficulty successfully. He knows the country well, and many of the surviving actors personally, and he has spared no pains in collecting, sifting, and collating his facts. His narrative is very spirited, and persons and things are graphically depicted. Above all, it is a glowing record of the valour and endurance of our countrymen, and we are bound to add of our countrywomen also, than which no page of our bright annals is brighter. The work will live, we are persuaded, together with Macaulay's narrative of the siege of Derry and of the battle of the Boyne, and with Napier's history of the Peninsular War, as a monument of the indomitable courage with which soldiers and civilians alike of our race can bear themselves when driven suddenly to bay, and as an example to our children's children of the devotion which in life and death they owe to their country.

Art. V.—1. *Copy of Correspondence between the Admiralty and the Treasury, and of other Papers, relative to Alterations in the Organisation and Business of the Admiralty; and to Reductions in the Establishments.* Parliamentary Paper, 402, series 1870.

2. *Return showing Results of Trials with Welsh and North Country Coal on board Her Majesty's Steamers 'Urgent' and 'Lucifer' at Portsmouth.* Presented to Parliament 6 July, 1870.

The 'Quarterly Review' for October presents the Tory Bill of Indictment against the present administration of the Admiralty. In an article entitled 'Mismanagement of the British Navy,' the public are invited to con-

stitute themselves a grand jury for the trial of Mr. Childers and his colleagues on a charge of malversation of office. The Quarterly Reviewer undertakes not only the office of public prosecutor, but points out that the sole remedy for 'those ills we have,' lies in the restoration to power of that political party which, according to him, has periodically to save the British navy from the ruin in which Liberal politicians love to involve it.

The indictment is rather clumsily drawn, though apparently by a hand from which it would have been reasonable to expect something stronger and more telling than a mere *réchauffée* of the stories which were discredited last session,—statements put in the form of questions whether such and such a rumour was true, and the answers to which —omitted in the review—so often covered with confusion the assailants of the new policy of the Government in the House of Commons. The same bitter, personal animus, the same desire to throw mud in the hope that some at least may stick, which characterised the attacks of certain members of the Opposition, are discernible throughout the article. In the suggestive allusion to Sisera, where the dockyard 'maties' are instructed in the right use of nail and hammer, we seem to catch the echo of the well-known cry which Protestant bigots of a certain class are wont to raise on Guy Fawkes Day, or of the voice which threatened what might happen should Ministers visit the towns of Deptford and Woolwich.

But for the influence which such an article is likely to have upon the public credulity it might have gone unnoticed. The tendency, however, of uncontradicted falsehoods, still more of unexplained half-truths, is so mischievous that on grounds of public morality it should not be unrestrained. In a matter so dear to Englishmen as the welfare of their navy, it is especially necessary that no self-seeking politician should shake their confidence in the men to whose hands they have committed the guardianship of the sea. Therefore it is that we have thought it worth while to study the counts in the 'Quarterly's' indictment, and so far as published papers and such information as we have been able to command will permit us, to help the public to a right conclusion. There cannot be the slightest objection to learn from foes, however deadly; and the present Government have, not only in matters naval, thankfully accepted suggestions which have emanated from the Opposition bench. But when it is made a crime to disregard the advice of those whose advice savours more of self and party than of national interest, and in support of the charge to hazard statements which are wholly misleading, if not untrue, it becomes a duty to endeavour by every legitimate means to enter a plea for the defence.

The Quarterly Reviewer brings twenty-three distinct charges against the Admiralty; and sums them up by a general assertion that the strength of the navy has been impaired in respect of ships, men, stores, and guns, and that this decay is the foreseen and intentional result of a policy which the present Administration were returned for the very purpose of carrying out. The charges, general and specific, are serious if true. 'So far as the reconstruction of the Admiralty is concerned, the grand secret appears to have been to get rid of the naval element in the government of the navy, and to buy by private bargain the stores and supplies for the public service.' From this text the Reviewer preaches a Jeremiad of peculiar violence, and draws conclusions which are wholly unwarranted by fact.

To begin, for instance, with the statement in page 401, about the stocks of coal abroad. 'In 1869 the foreign coal depôts had been diminished from 59,199 to 39,627 tons; and this year a still further diminution had taken place, for only 27,026 tons of coal were in store in our foreign depôts on the 1st January, 1870.' In this short sentence there is a *suppressio veri* as well as a *suggestio falsi*, besides a blunder as to date. It would be inferred from the sentence quoted, that in 1868, when Mr. Corry was First Lord, first, that the stocks of coal abroad were in the normal condition, at which they should be maintained; second, that in 1869 the present Administration had allowed the stocks to fall 20,000 tons below that normal quantity. But the stocks abroad in 1868 were not in a normal condition, for the exigencies of the Abyssinian war had necessitated a supply at the Cape and at Malta far in excess of ordinary wants. At the Cape alone there were on 31st January, 1868 (see Parliamentary Return, 246, presented 19th May, 1870), 15,739 tons, the ordinary stock being about 5,000 tons. On 31st January, 1869, the stock at the Cape was reduced to 13,200 tons; and on the 31st January, 1870, though no supplies had been sent out since the end of the Abyssinian war, the stock there was so utterly out of proportion to all likely demands, that a proposal to sell and so save loss by deterioration of coal was only refused on account of the insignificant price obtainable. This is the *suppressio veri*. The *suggestio falsi* is that whereas 59,199 tons is represented to be

the minimum stock which Tory wisdom thought fit to keep abroad, the present Government, *during* 1869, reduced the stock to 39,627 tons. Now the latter figures are the total, including the Cape stock shown on the Parliamentary paper above referred to, as in store abroad on 31st January, 1869—that is to say, a few weeks after the present Government took office; so that the blame, if any be due, must lie upon the shoulders of Mr. Corry and his friends—a conclusion for which those gentlemen will hardly thank the reviewer.

But how about stocks on 31st January, 1870? The Quarterly Reviewer wishes it to be inferred that the present Administration, having 27,026 tons in stock abroad on a given date, viz. 31st January (he says the 1st), considered that to be enough as a maximum quantity; that it was insufficient, but that the Government refused, on what they called economical grounds, to send out more. The notice in the 'Remarks' column of the return so disingenuously treated by the reviewer—to the effect that though not actually in store on the 31st January, several thousands of tons reached Malta and Gibraltar on the first week of February; and that at the same date 5,000 tons were on the way to the North American station depôts—is disregarded. Disregarded too is the front page of the return, apparently because it shows that a larger stock of coal was maintained by the present Government at home depôts on 31st January 1870, than was kept by the late Government on a corresponding date in 1868. It is ridiculous to take stocks at a particular date and to generalise from the figures that the Administration is or is not doing its duty. Tested by such facts Mr. Corry's Board might be arraigned, because on the 1st October, 1868, they had in store at home 7,000 tons less coal than Mr. Childers' Board on the 1st October, 1870; or because they purchased in 1868–69 only 169,677 tons, whereas Mr. Childers' Board bought in 1869–70 as much as 186,163 tons. But all such deductions are necessarily fallacious. Stocks must be regulated by probable demands, varying according to the strength on the station, and not be replenished, as the stocks of all dockyard material were ordered till last year to be replenished, on the basis of the ascertained consumption of 1844, when iron ships were not, and when the character and building necessities of an iron-clad were alike unknown. We have been at some pains to learn, and we are in a position to state, that the present basis of replenishment of naval stores of all kinds is the average consumption of the three preceding years, corrected in special cases by the known eventual requirements of the programme of work for the year. As regards coal the aim is to keep ample but not excessive stocks, in order to avoid the waste by disintegration and loss of power to which coal kept long in stock, especially in hot climates, is subject, and which in the case of Welsh coal has been something quite incredible. Another feature in the new mode of supply is to avoid as much as possible winter shipments to home depôts, and so to avoid payment of winter freights, sending coal to the foreign depôts, however, in the early part of the year, so as to furnish them with a large supply in the beginning of spring.

Much is said by the Quarterly Reviewer as to the quality of the coal supplied for steam-vessel purposes during the years 1869 and 1870. More is said, and hostilely said, about the manner in which the supply has been obtained. The reviewer's treatment of both subjects is marked by the same quality of disingenuousness which characterises his dealing with the question of stocks. He begs the whole question of quality by assuming that the sole object of the Government, in using bituminous North country coal in combination with the anthracitic coal of South Wales, was to secure the political support of men already pledged for the most part to support the present Government. Why then seek to alienate Welsh members, of whom a majority sit on the Treasury side of the House.

The fact is that the exclusive use of South Wales coal for steam-vessel purposes, besides being inconvenient as a monopoly, shut out from the service those sources of fuel which are largely drawn upon by the merchant marine, and which, for the speedy raising of steam and more complete combustion, had material advantages not possessed by Welsh coal. It was determined to try upon a large scale the effect of mixing first-class North country coal with first-class Welsh. It was found that with good stoking and mixing it was possible to attain the necessary results without producing much more smoke than was given off by Welsh coal. Circulars were issued in April 1869, announcing the intention to use the mixture; drawing attention to the necessity for careful stoking; suggesting that certain specified modifications of the existing furnaces might be needed in order to avoid smoke and to ensure the best results in other particulars; and pointing out that, as scarcely any furnaces were alike or under precisely the same conditions, it would be necessary to find, by

actual experience, what was the precise alteration each furnace required :—

'Considerable care must be exercised in stoking and in the supply of air, by partially opening the doors of the furnaces, or by openings made in the doors themselves, where there are the means of doing so on board any of her Majesty's ships, in order to consume the smoke; in many cases it may be necessary to increase the space between the fire bars; but their lordships entertain no doubt that the commanding officers and chief engineers are perfectly capable of dealing with any difficulties which may arise in burning mixed coal with advantage in furnaces intended for Welsh coal only; and with practice and attention these difficulties will disappear. . . . .

'Commanding officers will on all occasions watch the emission of smoke, and take such measures, in concert with the engineer officers of the ship, as in their opinion will check or prevent this occurrence; bearing in mind that slow combustion, to which, unless under peculiar circumstances, they ought always to have recourse, is one of the greatest checks to this nuisance and waste of fuel.'

For a considerable time the orders to alter the grates and furnaces—though the alterations could for the most part have been effected by the engineers of the ships—were not obeyed, and ships burning the mixed coal in their unaltered furnaces reported 'dense black smoke' as the result of their experiments. There was moreover a strong desire on the part of some naval officers *not* to see success attend the use of the mixture, and hence, by an unconscious process, no doubt, their efforts to secure that success slackened, and became ineffectual. Moreover, it was found that the alterations suggested by the circular in grates and furnaces were inadequate to secure all the results desired. Though power was preserved, too much smoke was emitted, and where that was checked, there was a loss of power. There was therefore some ground for the belief that mixed coal might prove a failure. Perseverance, and a strong determination to try the experiment thoroughly, were needed. Those efforts prevailed. Experiments were instituted at Portsmouth in the 'Lucifer' and 'Urgent,' and it was found perfectly possible so to alter the furnaces of ships, and at a moderate cost, as to secure all the results obtainable with the best Welsh coal, while effecting a material saving, not only in the first coast of coal, but in consumption also. Further experiments, the results of which are given below, were instituted on board the 'Active,' under the supervision of Captain Rice, the well-known and excellent officer in charge of the steam reserve at Portsmouth —showing conclusively that better results not only as regards evaporating power and complete combustion, but also as regards smoke, are obtainable with the mixture in the proportion of half North country, half Welsh, than with the best Welsh coal, while there is a saving of 13½ per cent. upon the consumption. So thorough and complete is the success of the mixture that the most formidable of its professional enemies confess themselves converted, and we have reason to know that on the recent inspection by the Lords of the Admiralty of the Channel Fleet at Portland, both captains and engineers were nearly unanimous in reporting their conversion to the mixture. The consequence has been that certain authorities, who have hitherto withheld their consent, have declared themselves entirely convinced.* As regards the difficulties of mixing, so strongly insisted on by the Quarterly Reviewer and others, they are purely imaginary, as anyone may judge for himself if he will but watch the

* Trials of mixed coal, Powell's, Duffryn, and Cowpen's Hartley, in equal quantities, on board the 'Active,' on the 25th July, the 22nd August, and the final trial on the 30th August, 1870. The above trials were made with the smoke-consuming arrangements. The trial of Nixon's Navigation on 25th March, 1870, was made prior to the furnaces being altered.

Trials Six Hours each at Portsmouth.

	Nixon's Navigation Welsh.	Mixed (half-and-half) Powell's, Duffryn, and Cowpen's Hartley.		
	25th March.	25th July.	22nd Aug.	30th Aug.
Total consumption during the six hours	tons. cwts. 37 12	tons. cwts. 33 16	tons. cwts. 31 8	tons. cwt. 32 1
Area of grate surface	square feet. 498·75	square feet. 455	square feet. 455	square feet. 455
Consumption of Coal per square foot of grate per hour . . .	lbs. 27·69	lbs. 27·90	lbs. 25·76	lbs. 26·29
Consumption of Coal per indicated H. P. per hour	3·562	4·688	3·133	3·124
Smoke Marks by Numbers . .	3·80	3·97	3·069	2·861

Steam Reserve Office,
PORTSMOUTH.

process originated by Admiral Key at Portsmouth, and in daily practice at that harbour. But even under circumstances rendering that simple and effectual process inapplicable, there is no difficulty in the matter. Whilst it is needless to say that the extravagant notion put forward by the reviewer that in order to *mix* Welsh and North country coal, the Admiralty have to half load a collier at Cardiff, and finish loading her at Newcastle —thereby *not* mixing—is not one that could have presented itself seriously to the mind of any reasonable being.

But the quality of the coal supplied to the navy has been less obnoxious to 'the other side' than the mode in which the supply has been obtained. The critics, for the most part—when not commercially interested in the old method of supply—being naval officers, or others equally unversed in the modes and procedure of business, have in their ignorance supposed that to deviate from the path which they imagined was for any and every man the path of safety, was not only to give up all guarantee of good quality, but to cost the country money, and to ruin the reputation of all concerned in the purchase. So convinced were they of the impossibility of touching coal without contamination, that they would know nothing about coal, and if driven by the exigencies of daily life and the requirements of ship and factory to procure coal, they resolved to do what necessity compelled them to do in the simplest mode possible—and it must be admitted that the device hit on was very simple indeed. There was a list of coals called 'the Admiralty List,' upon which appeared the names of no less than a hundred and nine sorts of coal supposed to be suitable for steam-vessel and factory purposes. When steam coal was wanted, an advertisement was issued calling for tenders for 'coal for steam vessels'—the name of the coal not being specified. Persons wishing to offer came to the office of the Storekeeper-General, and there found that they might send in any one of fifty-four Welsh sorts, and, before 1868, of fifty-five North country coals, named on the Admiralty List—queer stories are afloat as to the sums paid for insertion on that list —as steam-vessel coal; the presumption being that all these coals were equal in value! For China and the West Coast of Africa some five sorts of coal out of the fifty-four and fifty-five were forbidden to be shipped without special permission—experience having shown that with those at least there was too great a disintegration and waste in hot climates to allow of their being used without extravagance. But it is presumed the most staunch supporters of the Welsh interest, including Mr. Nixon, would not maintain the equality of the coals assumed to be equal by the Admiralty.

It may be said, however, that as a matter of fact, good Welsh coal was obtained in her Majesty's ships; and no doubt that was so, but in spite of the list. In answer to advertisements, only a few dealers interested in particular collieries, ever tendered, and these confined their range of supply to the coal in which they were interested—that coal being generally of a fair quality. Then the Admiralty list was more or less a sham? Certainly, so far as the Admiralty supply was concerned, though by it the power was given and retained of supplying inferior coal as equal to the best; and to this extent it was a mischievous sham. But it was also mischievous—even immoral—in another respect. Coals were quoted to foreign Governments as being of undoubted goodness *because they were on the Admiralty list.* It is notorious that many coal owners got on to the list who had never an intention of supplying the British navy, but wished to make the Admiralty their advertising medium by which they might foist upon foreign Governments their inferior coal. Mr. Baxter has been constantly remonstrated with by interested persons for refusing to be party to the continuance of so mischievous a deception.

Then as regards prices paid for the coals that were supplied. The operations of supply being confined to a ring, combinations were effected to a most injurious extent. Colliery owners would not busy themselves with a contract encumbered with numerous covenants and sureties for performance, and as a matter of fact never tendered at all. A few firms kept the business rigidly in their own hands, and agreed upon a minimum price for particular stations; they knew the lowest tender would be accepted without regard to current prices, and by acting together sucked no small advantage out of the contracts. When so large a sum as 18,000*l.* is saved to the country, which otherwise would have gone into agents' and sub-agents' pockets, it is no wonder a bitter hostility is raised against the savers of it, and that those interested should, by their mouthpieces in Parliament and in the press, rage furiously together, and insinuate all sorts of baseless calumnies against the honour and integrity of public men. The mode adopted temporarily by Mr. Baxter is to purchase well-known, unquestionably good coal at the pit's mouth and send it out at market freights. Part of the supply has been bought by a buyer, part by advertisement and tender.

It is complained that the naval element has been eliminated from the controlling

power at Whitehall. It has unquestionably been so in respect of purely civil matters, about which naval men know no more than civilians know of professional naval matters; but in respect of purely professional business it has been greatly strengthened by the abstraction from its consideration of precisely those affairs, e. g. the purchase and sale of stores, which naturally fall under the ken of ordinary men of business. It has been strengthened, and its responsibility has been defined, by the concentration under it of really professional matters, under the Order in Council of 14th January, 1869, which sets out the duties and responsibilities of each Lord and of the new officer, the Parliamentary Financial Secretary. This Order in Council, together with other papers and correspondence on the reconstitution of the Board and the reconstruction of the departments of the Admiralty, is included in Parliamentary paper No. 402, presented to Parliament in February 1870. This very important document seems to have escaped the notice of the Quarterly Reviewer, as it escaped the notice of, or was willingly ignored by, certain Members last session. In its pages will be found authoritative refutation of the silly stories told in the review about stray admirals caught up to do undefined duty at Whitehall in aid of overburdened naval 'Lords.' There, too, will be found in detail the reports of departmental committees, and the correspondence with the Treasury, which led to the reconstruction of the Admiralty departments as constituted by Sir James Graham in 1830. It is curious to observe, by the way, how the name of Sir James Graham is invoked by Tory assailants of modern reformers, and how his measures, which in their day met with the strongest opposition from the Tories of the day, are now appealed to as models of absolute administrative wisdom. Who knows whether the name and the measures of Mr. Childers may not prove a rallying cry to the next generation of Conservatives?

The duties of the several Lords as laid down in her Majesty's Order in Council of 14th January, 1869, are perfectly intelligible and well defined. The Board there established is in reality a Council of assistance, to which a Minister of Marine can appeal individually or collectively, as he sees occasion. 'I stated,' said Mr. Childers, in February last, 'that in this and in other respects our administrative action would be rather departmental than in accordance with the usual machinery of a Board.'* The First Lord himself is supremely responsible to her Majesty and to Parliament for the conduct of the department, and the other Lords are in effect members of the staff, as generals of division are members of the staff of a commander-in-chief. The First Naval Lord is responsible to the First Lord for matters relating to the *personnel* of the navy. The junior Naval Lord assists him. The Controller and Third Lord is responsible for *matériel*, i. e. the building and repairing of ships, and matters relating to guns, naval stores, and dockyards. The Parliamentary Secretary, divested of all office work, which devolves upon the Permanent Secretary, is responsible for the Finance of the Department, and the conduct of purchases and sales, being assisted in the discharge of his duties by the Civil Lord, to whom, moreover, is committed the oversight of the *personnel* of the Admiralty Civil Establishments. This subordination of responsible controllers of business to a responsible Minister, is in exact accordance with the views advocated in the 'Edinburgh Review' as far back as 1861.* It is, moreover, the only form of administration suitable to the present requirements of the navy, however admirable the arrangements made by Sir James Graham in 1830 may have been as compared with the government by navy and victualling boards. No one who really desired to know the new mechanism of administrative business need have been, as many willingly were, ignorant of these details, nor would he, like the writer in the 'Quarterly,' have blundered into the error of confounding the Chief of the Staff—an *adlatus* of the First Naval Lord, and a new officer, in whom are centred the duties formerly discharged by a semi-independent Controller of Coast Guard and a Deputy Controller—with the abolished naval lord, whose extinction the reviewer deplores. The story about the captain who was ordered to sea by one Lord of the Admiralty, and into dock by another Lord on the same day, is a mere 'midshipman's shave,' which the reviewer has been weak enough to believe.

The subordination of the responsible controllers of business to the Minister at the Admiralty, led naturally to the more thorough subordination to them of those almost independent officers who at Somerset House exercised the departmental functions of Storekeeper-General, Comptroller of Victualling, Director of Transports, Medical Director, Accountant-General, Director of Works, and Registrar of Contracts. In accordance with the principles laid down in the Order in Council of 14th January, 1869, the operations of these officers were to be brought more

* Hansard, p. 902, session 1870.

* Edinburgh Review, vol. cxiii.

closely than they had been under the direction of responsible chiefs, and the distribution of the business entrusted to them had to be modified. If the reviewer and those who think with him in Parliament and the press may be believed, the manner in which these changes were brought about was of the most rough and ready kind. As a matter of fact, patent on reference to the published papers, it was most painstaking and deliberate on the part of Committees, who were instructed to inquire into the matter in all its numerous details, and whose reports were subjected to long and anxious consideration before action was taken on them. The effect of the action so taken was to remove the outlying departments from Somerset House to Whitehall and Spring Gardens—an old *desideratum* of all Boards—to abolish some of the business transacted by them, and to redistribute the remainder in accordance with the new scheme of controlling responsibility. The functions of supply and account, which had been hitherto attributes of each departmental officer, were concentrated in the new departments of the Superintendent of Contracts and Accountant-General respectively, while in a reduced form the other officers remained to discharge purely executive duties; the Superintendent of Naval Stores, *vice* the Storekeeper-General, to see, under the eye of the Controller, that the dockyards at home and abroad had a sufficiency of naval stores; and the Superintendent of Victualling, *vice* the Comptroller of Victualling, to do the same for the victualling depôts—while the other officers retained their titles, but were charged only with executive duties.

It was in pursuance of recommendations made by similar Committees, whose reports are published in the Parliamentary Paper 402, that Mr. Childers announced to the House of Commons that he had resolved to dispense with naval officers superintendent at victualling yards and naval hospitals, and to place the former under the responsible control of the storekeeper, the latter of the principal medical officer. As evidence that this change, which was strongly opposed, has tended to efficiency, it may be mentioned that when the Channel squadron returned from its cruise in the month of September, one division, comprising the 'Minotaur,' 'Agincourt,' 'Northumberland,' 'Hercules,' and 'Warrior,' were ordered to complete with provisions for four months at Portland. The stores had to be sent from the Royal Clarence Yard, Gosport, eighty miles distant. The demands were received by the officer there at noon on Saturday, and by Tuesday afternoon the whole of the provisions were on board the ships. This expeditious supply was made without work being done on the Sunday, without hiring extra labour, and without interruption of the current duties of the yard; and the quantity of stores loaded and unloaded by the victualling yard men within the hours mentioned was 950 tons.

It was impossible but that in making such radical changes, and while the changes were in progress, some mistakes should happen, and certain mistakes were made, e. g. the serious anchor mistake, the origin and consequences of which were fully explained to the House of Commons last session, but which is again raked up in its old dress by the reviewer to serve as a peg on which to hang a charge of general inefficiency. That mistake, which, as Mr. Baxter stated, was one to which any merchant might have been liable, would never have been made had the clerks and officers of the Admiralty, who disliked the changes while profiting by them, and who still clung to office, acted as fairly and vigilantly as they ought to have done to those they were bound to serve. Still, the mistake did happen, and the critics have made the most of it, generalising, after their manner, from a single fact. But when they are driven to put in the front of their indictment paltry little stories like that about want of biscuit at Bermuda, in May last—stories which the smallest amount of trouble and inquiry would have explained thoroughly, they virtually discard the useful office of criticism and deserve to be regarded as mere vexed and disappointed retailers of gossip.

Conspicuous by their absence from the 'Quarterly' are those insubstantial anecdotes about 'tremendous bad hemp,' 'awful bad coal,' &c. &c. which, told and disproved in the House last session, brought so much ridicule upon the narrators. The story of the biscuit at Bermuda is of the same kind. We have been at the trouble to inquire into this proof of neglect, and find that at Bermuda, where the stock of biscuit is from local causes necessarily kept as low as possible, an unprecedentedly and unlooked-for large issue of biscuit had taken place on an early date in the year. The storekeeper sent an account showing this extraordinary issue, and in the usual course his stock would have been instantly replenished from home. Why then was it not replenished? Another mistake! Nothing of the kind: the agent's letter was lost in the 'City of Boston.' Yet it is on the strength of this flimsy pretext and one other, to the effect that a gunboat had to get a barrel of flour from the receiving ship at Malta, because the store on shore—which the reviewer omits to state had just filled up the Mediterranean fleet—was exhausted, that the Quarterly Reviewer says 'the supply of pro-

visions for the fleet has been so insufficient as to place them, in these piping days of peace, almost on short allowance.' We have been favoured with the sight of two documents, one the report of Admiral Hornby, who lately returned home with the first flying squadron—the other an official report on stocks of provisions drawn up soon after the declaration of war on the Continent. Admiral Hornby speaks in terms of extraordinary praise of the manner in which the victualling of the fleet was carried out. He praises emphatically the quality, as well as the sufficiency of the supply; and it must be remembered that he drew upon full one half of our victualling depôts abroad. The other document shows that so far from there being any lack of provisions available for the fleet, every article provided for in the estimates for the whole year, excepting salt meat, which was not then cured, and some wheat not then harvested, had been arranged for, and for the most part delivered, on the 1st August.

It has been said, in spite of knowledge, that the present Administration have discarded public competition and tender in the matter of supply of stores, and satisfy the requirements of the navy by means of private bargain. We say in spite of knowledge—for this whole question was discussed last summer in the press as well as in Parliament. The 'Times' and 'Spectator,' the 'Daily News,' and the 'Daily Telegraph,' besides many country papers, considered the new contract and purchase arrangements, and criticised them for the most part in friendly wise. The 'Times' having been misled as to the precise character of those arrangements, concluded, as the reviewer has done, that private purchase had been substituted for public tender as the principle of business. On learning its mistake, however, the 'Times' inserted a paragraph on the 16th June, 1870, stating with truth that upwards of two-thirds of the store income of the Admiralty was still spent on contracts publicly advertised and competed for, though it was in error in supposing 'that much of the remaining two-thirds was supplied under standing contracts which preceded Mr. Baxter's accession to office.' Most of the standing contracts have been thoroughly overhauled and remodelled, as explained by Mr. Childers and Mr. Baxter in the House. Other newspapers described more fully the business and procedure of the Contract and Purchase Department, and the country has, in the Parliamentary Paper 402, already quoted, full means of knowing the exact course of Admiralty supply. The right of what is called private purchase—i.e. a transaction known in all its details by more people at the Admiralty than were privy to the largest contracts under the old system—is undoubtedly reserved, as it always was reserved, even in old days, for certain articles. No one at any time thought of advertising for armour-plates, medicines, or engines; and the process by which these have been procured has been extended, under safeguards far greater than before, chiefly for the purpose of breaking up combinations and for making a stand on behalf of the public against imposition. What house of business would ever thrive on a system of accepting lowest tenders simply because they were lowest among the tenders made?

We have it on good authority that on one of the first occasions Mr. Baxter opened the tender-box he asked for a price-current, in order to compare it with the lowest tender. No such thing could be obtained in the store office, so Mr. Baxter sent to the City, and discovered that the lowest tender—which under the old system would infallibly have been accepted—was twenty-five per cent. above the market price of the article. This we can readily believe, for the late Store-keeper-General, Mr. Dundas, in his evidence before the Committee on the Abyssinian Expedition, said in effect that it was no part of his business to see that he did not pay more than the market price, or that the contractor was not making an undue profit, but that for the most part he contented himself with sending out for tenders, and accepting the lowest.*

The restraint of monopolies and of combinations by use of the power of private purchase and limited tender has been so great, that quondam contractors have brought down their prices to acceptable limits. The knowledge that prices as well as tenders will be scrutinised by the light of ascertained market quotations must necessarily operate on the minds of contractors favourably for the public purse. In June last the Admiralty advertised for twenty thousand tons of coal for various stations, and the prices then quoted for Welsh coal were such as to justify acceptance of the offers made; but the prices for North country coal were still in excess of market rates, and were not given. Though the cardinal principle of the public supply business is, and should be, advertisement and tender—there is every reason to retain the beneficial power of being independent of it. There are some things also which are absolutely better procured through agency than by competition.

It was announced several times last session

* See Report of Com. on Abyss. War, 1869, p. 73.

in answer to inquiries that the attention of the Contract Department had been specially directed to the work of revising schedules, and re-arranging conditions of contract for articles supplied by tender on advertisement. The necessity for this work was clearly stated by Mr. Childers in his speech on the introduction of the Navy Estimates in February last. Mr. Childers said:—

'I will give the House instances of the necessity for revision of the terms of our contracts. Many of these have been in force for very long periods, and within the last week I had before me some for articles which have greatly changed in value, but which had been left untouched, some for seven years, and some for fourteen years. I may mention one contract for the delivery of a special article, the name of which I will not mention. There were many small items for extras to the article, and one of them (No. 198) was the price for any additional quantity of the same metal not included in any other item. The whole payments of the year were 14,160*l.*; but of this the payments under that item were 10,930*l.*, and the price of that item was about 150*l.* per cent. above the market value. These are just the matters as to which special attention in the Contract Department enables us to effect a great improvement.' (*Hansard*, p. 906, session 1870.)

Considerable care has been bestowed upon this important object—and the effect has been, by splitting schedules into trades, and by striking out vexatious clauses to induce manufacturers who before abstained from Government contracts at first hand, to come in and give the country the benefit of their resources and experience.

As regards quality, and the mode in which that is tested on receipt of goods, we find that the same standard, where it has not been raised, is maintained, and that the same criticism, by the same officers, is directed as formerly. One new feature, however, has been added to contracts. The common business rule of settling disputes by reference to arbitration has been incorporated with the Admiralty business—and with very favourable results, contractors feeling that as against any prejudice or ignorance on the part of receiving officers they have an appeal, and receiving officers feeling that their judgment, if good, will be strengthened and confirmed by wholly independent testimony. The latter effect has been produced in a great case lately at Portsmouth. We may add moreover that the establishment of this principle of business by Mr. Baxter has had the effect of extirpating the 'tipping' system, which it is proved prevailed among some of the subordinate *employés* in the Government establishments.

The bitter complaints which have been made against Mr. Childers and Mr. Baxter on the subject of sales of old stores and ships are somewhat difficult of comprehension. The dockyards were filled with the accumulations of many years, which occupied space invaluable in a time of need, and the estuaries and rivers in the vicinity of our great sea-ports were also crowded with vessels, of a type wholly unsuitable to the requirements of modern warfare, and many of them worthless even as specimens of their class. The greatest care has been taken to value ships, timber, and stores, by means of experienced auctioneers acting in conjunction with special officers of the Admiralty, and with the officers of the dockyards. Had the reviewer been at the trouble to inquire he would have found that nothing had been sold which the dockyard officers thought it worth while to keep; whilst as to 'Seeley's pigs,' of which some 7000 out of 53,000 tons have been sold, we find that the Tory administration of 1867–68, on the strength of what 'somebody' said the 'pigs' would fetch, took credit in advance for £100,000 on account of sales. 'Somebody' appears to have told them wrong, for we find Mr. Corry stating in answer to Mr. Baxter, in the course of 1868, that only £63 out of the £100,000 had been realised. One-eighth of the whole quantity has now been sold at the highest price obtainable after much inquiry and great efforts to sell judiciously. The result of sales generally has been, not only to clear the dockyards—'denude them of stores,' says the Quarterly Reviewer—of vast quantities of useless lumber, but to bring into the Exchequer a sum sufficient to pay half the cost of the Naval Store Vote for the year. The sales of ships, stopped by the neutrality proclamation, will, it is presumed, be continued later, till the broken reed of antiquated war-ships on which reliance for defence had been placed, shall have been got rid of.

There are some minor points in the article in the 'Quarterly' which may yet be noticed. Of these, the story about the proposed retirement of Mr. Dundas and Mr. James has already been confuted in a very distinct manner by Mr. Childers in Parliament. The statement of the reviewer that 'no sooner had Parliament risen, than the assurance that clerks were not to be discharged against their will fell to the ground,' is absolutely incorrect. It could never have been applied, by any one who knew the time, to the case of Mr. James and Mr. Dundas, for the circumstances which gave rise to that incident occurred in January, immediately *before Parliament met.*

The singular arithmetic by which the reviewer arrives at the conclusion that the net result of reductions in the clerical staff is 'an additional cost to the country of about £12,000 a year,' is a specimen of the kind of data on which many like statements are founded. The reviewer says, 'The vote for the Admiralty Office in the Estimates for 1869–70 was £168,700. The vote of the Admiralty Office in the year 1870–71 was £159,368, showing a decrease of £9,336; and the transfer of charges from other votes amounts to £4,106, representing a total decrease in the vote for the Admiralty in this year of £13,442. But against the decrease in the vote for the Admiralty Office are about £25,511 of pensions, from which, if we deduct the decrease claimed of £13,442, we get an additional cost to the country of about £12,000 a year.' Now the fact is that the decrease, including transfers from other votes, is in 1870–71, £13,442 as compared with the Estimates for 1869–70, but the pension list of £24,611, (allowing as usual for deaths), not £25,511, is the pension list *of two years' growth*, and not of one year as compared with another. The reduction of establishment was spread over two years' estimates, so that the true comparison is between the years 1868–69 and 1870–71, both as regards reductions and pensions, and stands thus :—

1868–69.	£
Vote 3, Admiralty Office .	182,364
Votes 1, 4, and 6 (for offices now merged in Admiralty)	9,693
	192,057
1870–71.	
Vote 3, including the services provided as above under other votes	159,368
Real decrease over 1868–69	32,689

The fact is therefore that a permanent saving of 32,689*l.* has been effected, whilst there is a temporary charge of 24,611*l.*, showing a present net saving of 8,078*l.* This will of course increase annually, not only by reason of deaths of pensioners, but by the substitution of 'writers' for 'clerks' in vacancies on the establishment until the recognised proportion of 'writers' shall have been reached. At present many 'clerks' are borne in lieu of 'writers.' Extra assistance required at any time to meet emergencies will be obtained from 'writers' temporarily employed, and without a claim to pensions, instead of from 'clerks,' as stated by the reviewer. That gentleman is also wrong in his law as well as in his facts, when he suggests that clerks pensioned on abolition of office are not liable to serve again. The Superannuation Act, 22 Vict. c. 26, sec. xi., makes it an express condition of increased pension that the pensioner shall serve when called upon.

The circumstances connected with the closing of Woolwich and Deptford yards, in pursuance of recommendations from a Committee chosen from both sides of the House, have also been elaborately set forth, and if further justification were needed, it is to be found in the fact that such ships as would be included in a North Sea fleet could not by any possibility get into dock at Woolwich or Deptford. This in a word disposes of all the talk on this subject; but if further information is needed, it may be found in 'Hansard's Reports,' 20 March, 1868, where Mr. Graves, the Conservative member for Liverpool, will be found protesting against further expenditure on Woolwich, Deptford, and Pembroke; Mr. Corry replied that 'Had the motion made in the Committee been confined to Woolwich and Deptford, he would have supported it.' In the same Report is a speech by Mr. Childers, showing how the previous Liberal Government had resolved, so far back as 1865–66, to close Woolwich; how they had ceased to buy plant and to build ships there; and how the Conservative Government which came in in 1866 reversed that policy, recommended though it was by the House of Commons, and by suddenly rushing into shipbuilding all round in one year (a course they receded from so utterly in their engagements for 1869–70 as to decide on building no ships at all) laid the foundation of that distress which has since prevailed among the dockyard men.

Into the working of a retirement and commutation scheme which had the hearty concurrence of the majority of officers affected by it, we do not propose to enter. The public cannot but approve the principle which lays it down as Admiralty law that an admiral who has not pursued his calling for ten years, a captain for seven years, a commander or lieutenant for five years, shall be considered as one who has willingly, or by force of circumstances, virtually abandoned his profession. Certainly the case of Rear-Admiral Sir John Hay, so much insisted on by himself and his political friends as proving a defect in the principle of the scheme, is one of the strongest cases possible in its favour. Surely if an officer who in his forty-ninth year has not been at sea for ten years, is considered to have abandoned the active practice of his profession, no great violence is done to the law of probabilities. It is open to question how far the decision which rejected time spent at the Admiralty as sea

time, was a right one; and we are disposed to think that as some officers undoubtedly took office and continued there under the belief that Admiralty time would count, it would have been wiser as a matter of policy, and more just to individuals, either to have allowed the office time as sea time, or to have made special arrangements to meet two or three particular cases. The eminent services of Sir Spencer Robinson, and those of Sir Frederic Grey and Admiral Eden, certainly deserved more consideration than they met with from their own colleagues, and very nearly deprived the country of one of its best administrative officers. As regards Sir John Hay's case, however, the ground was cut from under him by the offer of a flag command, which was declined, on the ground that the gallant admiral, though ready to go to sea in the event of war, preferred his duties at home in time of peace.

We have purposely reserved for the last place in this article the consideration of the statement in the 'Quarterly' that the present Government have neglected to build ships enough for sea service and for harbour defence, and have wantonly reduced the numbers of men in the fleet. We confess to having been misled on a first perusal by the array of figures and names of ships which make up the body of the statement. The question is not whether in 1870 as many armoured or unarmoured ships are required as were considered necessary in any other year; but whether there is available in 1870 a sufficient naval force to cope with the forces say of two other naval Powers. The answer to this question involves both ships and men, and is, according to our judgment, fully made in the speech of Mr. Childers when introducing the navy estimates last February, and in that which he delivered in Parliament after the outbreak of the war. But, in any case, it is rather curious to find a charge—groundless though it be—of omission to build ships, coming from an advocate of that Administration, the head of which said on the 2nd of April, 1869, 'It is true that he had stated in a memorandum he had left at the Admiralty that it was not his intention this year (1869–70) *to lay down any new ships*, armour clads or unarmoured,'* and who divided the Committee of Supply on a motion to reduce the estimates proposed by Mr. Childers, by the amount necessary to commence the very ships pointed to by the 'Quarterly Review' as insufficient in number. No one who has troubled himself—and some trouble is necessary—to master the facts and figures connected with the manning of the navy in relation to the wants of the navy, and with the formation of naval reserves, can doubt for a moment that the real strength of the fleet is far greater at the present moment than it has been for years past. We should like to see some extension of the cadre system to the reserves, and a rule by which all officers in the reserve, and, within due limits as to age and condition, on the retired list, should be compelled as a condition of half-pay to serve for a certain number of days yearly in reserve squadrons. They might take the places—say for a month—half and half at a time, of the officers of the Channel fleet, and so shake off the rust of inaction. But as regards the present effective strength of the navy, consideration being had to the smaller number of men required for the new than for the old class of ship; in view of the elimination of the 'idler' element, and of the rousing out of harbour ship seamen who have been fourteen years in the service, but never a week at sea;* in view of the substitution of continuous service men for pensioners in certain ratings; of the deduction from ship's books of seamen really stationed on shore; and of the plans by which younger and more energetic officers and seamen are secured for active duties,—the real strength of the navy is very far above the apparent strength when that is made to include the persons indicated above. But let us examine the figures.

The Quarterly Reviewer says that during 'the two years of reduction that have elapsed since the present Government took office, the

* Hansard, session 1869, p. 106.

* When introducing the navy estimates on 28th February, 1870, Mr. Childers said:—'We have "roused out," if I may so call it, from every corner the men who have contrived for years to evade sea service, and we have established a regular roster, by which all the men will be sent to sea-going ships after one year's service at home, with limited exceptions in certain cases of petty officers. As an example of the state of things that prevailed, I may mention that when we took the Channel fleet to Gibraltar there were in our flagship, the "Agincourt," in all five chief petty officers, one of whom had never been at sea at all, having been eighteen years in harbour, and another had been fifteen years in harbour. As another instance, only last week, we had before us an application from four A.B.'s in home ships, asking permission to purchase their discharge from service because they were ordered to sea. One of them had been nineteen years in the service, out of which he had been fourteen years consecutively in harbour. Another had been sixteen years in the service without having been at sea at all. A third had been twelve years in the service and had never been at sea; and the fourth had been seven and a half in the service, and had never been at sea at all. These were all continuous service men. I think the Committee will agree with me that it is time to put an end to this state of things.' (*Hansard*, p. 926, session 1870.)

seamen, marines, and boys of the fleet have been reduced by 5,500 men.' The number voted in 1868–69, the last year of the Tory Administration, was 66,770; the number voted in 1870-71, was 61,000. In trying to account for this difference of 5,770, without reference to questions of policy, we find on inquiry that though the number voted in 1868–69 was 66,770, there were actually borne on 1st of January, 1869, only 63,632, a number which the Tory Government themselves had found sufficient and had not therefore increased. The intention of Mr. Corry to reduce the marines by 700 was executed, and the number of seamen, marines, and boys, asked for and voted for 1869-70, was 63,000, precisely the number Mr. Corry had found sufficient, less the marines he meant to reduce. In 1870-71, the number voted was 61,000, being 2,000 less than in the preceding year. But that reduction was thus made up, 500 officers retired by the retirement scheme; 500 blue-jackets, elderly men and harbour service men who were non-efficients; 700 servants, non-combatants, for whom were substituted marines, accustomed to servants' duties on shore, and who gained 'sea-legs' by service afloat; and 300 boys. It thus appears that of the 5,770 men disposed of between 1868-69 and 1870–71, 3,138 were reduced by the Conservatives in one year, 700 more would have been reduced had they kept in office, and the balance is well accounted for in the above statement, taken from the Report of Mr. Childers' speech when introducing the navy estimates for 1870–71.

Equally inaccurate with this statement of reductions is the statement that 'on the 8th March, 1856, the First Lord took credit for a reduction of 16 ships and 3,267 men.' The First Lord took credit for having reduced the isolated ships *abroad* to that extent, but the men and ships so withdrawn were formed into the flying squadron, the success of which, as a political force and as a school for seamen, has exceeded the most sanguine expectations.

One important point yet remains to be noticed. The reviewer says that Mr. Childers evaded the question put by Sir John Hay on 8th August, with reference to a statement that the 'Agincourt' and 'Northumberland' had been prevented from going to sea 'in consequence of the almost total absence of shells and ammunition at the Bull Point Magazine.' The reviewer entirely omits Mr. Childers' answer, and not only brings forward a refuted charge, but goes on to moralise upon the sad falling off of Ministers in the matter of Parliamentary candour. In plain terms, the charge of evasion and the charge of neglect to supply ammunition are alike false. It seems that experience had shown that so many of the Palliser shot had burst or broken in the guns that the Admiralty resolved to have all such shot tested before shipment. It happened that though there was an ample supply of shot (there was no question at all about shell), it had not all been tested; and, 'in consequence, on the day when the ships sailed, out of 2,380 projectiles, which was the complement of each, 180, or 8 per cent., were short in the "Agincourt," and 119, or 5 per cent., were short in the "Northumberland."' These were sent out on the following day in the 'Monarch.' As regards the statement, borne out by facts admitted, that the 'Captain' and 'Monarch' went to sea short of shot, the explanation is perfect. It was given by Mr. Childers at the same time he answered Sir John Hay about the 'Northumberland.' 'The full complement of shell is on board, and there is a sufficient supply in store of shot of the old pattern; but recently the Admiralty have agreed with the War-Office to make shot for the 12-inch guns of an altered pattern, and when these ships went to sea it was thought better only to take a half supply of the new pattern than some of the old and some of the new.' Had need required, they could have shipped an ample supply of effective shot, though not shot of a special pattern. As it was, they took 80 rounds of the new.

We are not of those who deem it prudent, in the press or elsewhere, to discuss publicly the whole resources of the nation. We cannot, however, refrain from pointing out that so far from preparations for harbour defence having been neglected, the idea embodied in the 'Staunch' has been matured and extended in the 'Plucky,' and that no less than twelve of these 'Snakes' and 'Scourges' are already far advanced towards completion, while the works on the 'Devastation,' 'Thunderer,' and 'Fury' (the latter said by the 'Quarterly' not to have been begun)—the formidable turreted, mastless, ships, throwing 600-pounder shots from four guns —are so forward that they could be got ready for commission in 1871. In August last orders were given to build by contract four new coast-defence ships of this 'Magdala' class, double-turret ships, carrying 21-ton guns. These will be ready by the end of 1871. We shall not minutely describe steps taken by the present Board of Admiralty to increase the numbers of particular classes of armoured and unarmoured ships; but we affirm that as a matter of fact those steps have been eminently successful, and that the British fleet is at this moment in a condition to cope not

only with those who were stated by a distinguished naval Member of Parliament to be 'masters of the Channel,'—alas! for the French fleet!—but to hold its own against the navies of all enemies.

In conclusion, we feel assured that the liberal instalment of thorough reform long called for and long deferred, which has been contributed by the present Board of Admiralty, will be yet more thoroughly appreciated by the country, when the seed they have sown shall have borne full fruit. Even now, in spite of the discomfort and distress occasioned to individual persons and classes by necessary changes fresh in its memory, and to some extent warping its judgment, the British public is not ungrateful. And we confidently believe that in respect to the naval resources of the country, in ships, seamen, stores, and administrative control, very important improvements have been accomplished, which render the British navy at the present time fully able to perform any service that may be required of it.

Art. VI.—1. *Science et Philosophie.* Par M. Aug. Laugel, ancien élève de l'École Polytechnique, ex-Ingénieur des Mines. 12mo. Paris: 1863.

2. *Les Problèmes de la Nature.* Par Auguste Laugel. 12mo. Paris: 1864.

3. *Les Problèmes de la Vie.* Par Auguste Laugel. 12mo. Paris: 1867.

The volumes we have placed at the head of this article are connected, not solely as works of the same author, but as containing, in their series and several subjects, a general view of the physical science of our time, in the most advanced stages of its progress. The position of M. Laugel as private secretary to the Duc d'Aumale—a prince whose learning and many accomplishments, even more than his birth, have given him merited reputation in the country of his exile—may be recognised as favourable in various ways to a work of this nature. A Frenchman, and intimate with all that is best in the science and literature of France, his quiet residence at Richmond and familiarity with English institutions, have afforded M. Laugel facilities for portraying modern science in its largest aspects, and under those connexions which now more than ever tend to give it unity as a whole. He is not, we believe, himself a practical labourer in the field. If this be a disadvantage, there is some compensation for it in the larger and more impartial scope given to that intelligence, which seeks to combine elements of knowledge, separate in their earlier growth, but now claiming to be blended by higher generalisations. Our author stands fully on a level with the scientific acquirements of his time, as well as with those doctrines and speculations which have recently grown out of them. In truth, he everywhere shows himself disposed to adopt the latter in their extremest form. Whether from natural temperament of mind (a powerful agent even in the acceptance of scientific evidence), or from other causes, he boldly confronts, and handles without reserve, all older and more orthodox opinions on the great questions he approaches. The volumes before us, small in size as books, while thus large and bold in scope, are necessarily wanting in many of those details and illustrations which novel opinions require for their justification. This gives an aspect of dogmatism to M. Laugel's writings; not, indeed, without some reality, from the evident bias of mind to which we have just alluded. He often expresses as established truths things which are still matter of doubt and controversy.

Apart from this comment, we can give unequivocal praise to the style of these volumes. M. Laugel has an epigrammatic felicity of expression, frequent in French writers even on the most abstruse topics. He is occasionally somewhat too florid in phrase, but there is no scientific pedantry about him. He comes at once to his subject without parade of preface, and puts what he has to say fairly in front. Whatever be thought of his doctrines, they are at least honestly and clearly pronounced. If expressed sometimes too dogmatically, you see that they are really his opinions, and reached by study and earnest thought on the several subjects before him.

In our review of these volumes, we do not think it necessary to follow M. Laugel's course through all the topics with which he deals; but shall rather seek to select such as may best illustrate those methods and attainments of physical science which so strikingly characterise the age in which we are living. A summary view of the progress and state of this vast department of human knowledge we gave in an article some twelve years ago. Since that time the steps in advance have been not less gigantic than those we then described; rendering the present century, still not near its end, the most remarkable in the history of mankind. Happy would it be could we record commensurate change and progress in the moral

conditions of human existence, of men and of nations of men! Such golden age is yet a Utopian dream of the future. The narrative of the year just expired tells nothing of it; save in the solitary hope that the horrors of warfare, thus augmented by the new weapons which science has furnished, may check at least, if not annul, the repetition of such calamities to the civilised world.

The first and second of M. Laugel's volumes, entitled 'Science et Philosophie' and 'Problèmes de la Nature,' discuss, in the spirit and style we have just denoted, the general principles, aims, and methods of modern science. His mind readily embarks in those bolder enterprises of speculation which formerly could only be deemed the vagaries of thought; but have now been sanctioned by deeper research into the mysterious laws of nature—more wonderful in their reality than any imaginations of untutored genius or of the wildest fancy. With the new licence, however, thus obtained, there is still need of much control over this modern spirit of philosophy. Hypothesis—in many cases an admirable minister to the discovery of truth—is often stretched too far, and into regions inaccessible to human research. The interlopers and dabblers in science—those who, to take Lord Bacon's words, 'will not wait the harvest, but attempt to mow the moss and reap the green corn'—are most at fault here; but these are many and active in their generation. The phraseology of true science is easily caught up and easily misapplied; and the genuine coin becomes discredited by the base. This evil partially remedies itself through the wonted incongruity of all such naked hypotheses. In physics nothing that is unproved can ever find permanent place.

On this general topic, however, we must carry our remarks a step further. That truth is the sole legitimate object of human inquiry is easily and familiarly said; but in seeking for truth it is useful, and even needful, to recognise in the outset that there are things which man *troweth* not—things which, though *realities* in themselves, cannot be compassed by thought, and lie therefore beyond the scope of human research. In every inquiry we are bound to regard primarily what has been done, and what yet remains to be done. But also it is well to know and ever hold in mind the existence of these *unknowable realities*—a caution happily expressed by Malebranche, the most eminent disciple of Descartes: 'Il est bon de comprendre clairement qu'il y a des choses qui sont absolument incompréhensibles.' It is into their unfathomable depths that the metaphysical mind loves to dive; bringing back little more than a new coinage of words and phrases, more fitted to entangle and delude the understanding than to enlighten it. Speculations and reveries of this kind indeed are most prone to grow up where science has not yet begun to work by experimental research. The ancient philosophers, Greek and Roman, entertained them as a sort of intellectual luxury; those of mediæval time as a cloister occupation and refuge from the barbarism surrounding them. Even the most savage races of men cling to such questions, in rude expression of their wonder at those mysterious changes and convulsions of the material world to which they, in common with the philosopher, are unceasingly subjected.

We dwell the rather upon this point because the physical science of our day is marked especially by its close approach to these insoluble questions. Modern discovery, whether dealing with the infinitely great or the infinitesimally small, whether with stars or atoms, has been emboldened by its own success, and presents problems to us for future solution which Swift would have related as the reveries of Laputan philosophy. The Cavendishes and Wollastons of a prior generation, who shrunk back with a certain distrust and alarm even from their own discoveries, are now nowhere to be found. It may be admitted that many of what once appeared insuperable barriers have been removed, and that it is frequently as rash in science to impose limits as to seek to penetrate beyond them. Yet the few single words, Space, Time, Matter, Force, Motion, and Life bring us into direct contact with problems which, though based on innumerable phenomena, forming the totality of our physical knowledge, leave reason utterly at fault. Take for instance the old question regarding that very Matter itself, which we are now so boldly handling, through the properties of its ultimate atoms and molecules. Is it actually created by the same Supreme Power which formed it into worlds and living existences? Or is it in itself eternal—the primitive material with which the Creator has thus wonderfully worked in evoking all that we see in the universe around us? It is obvious that reason is vainly spent in seeking to encounter a question where, *though one of the alternatives must necessarily be true*, no proof or argument can possibly be brought to determine which is so.

The same with regard to the Infinite, whether of Space, Time, or Number. The mathematician may give technical expression to it, in certain forms to which his science conducts him, and the metaphysician

may revel in the very vagueness of the conceptions it conveys; but it is a word unreal to all thought, and philosophy is bound to be sparing in the use of it. It might be well too were Theology, in dealing with these terms of Infinity and Eternity, more thoughtful and forbearing on the doctrines and denunciations to which it applies them. Eternity has been well described as 'a negative idea clothed with a positive name.' Conceptions so vast are, in fact, only described by negative terms—the endless, the incomprehensible. We are all more or less enslaved by words; but it is the proper business, equally of religion and philosophy, to throw off this thraldom, when truth, as often happens, is fettered or distorted by it.

We have just named Matter, Force, Motion, and Life, as terms which in their most general sense give foundation to all science, and at the same time express its most profound and perplexing problems. The word Force especially, known to us through its relation to Matter and Motion in Space, taxes the thought by a sort of harsh compulsion of use. It is a term too variously familiar in common life to be thus largely appropriated by science. No present definition has rescued it, in this higher sense, from a certain metaphysical obscurity of meaning. We know Force as a reality only by what we term its effects; and we *pluralise* the word in speaking of the several Forces manifested in the phenomena of the natural world—while at the same time finding, in these very phenomena, a correlation, by interchanges of material effects, so exactly equivalent that nothing which we can term Force or Power is lost in the translation. In this latter fact—one of the greatest discoveries of modern science—we gain a certain unity for the problem, in the conception of a single Power which, indestructible in itself, acts in different modes and degrees throughout the material universe—the source of all motion and change in the greatest and in the most minute phenomena of nature. But this at best is a cloudy conception, insusceptible of any direct proof, and incapable of being moulded into a definition. The abstract idea looms before us, but escapes before we can grasp it.

Nor can we shelter our ignorance under any of the various terms used by philosophers to designate this power—*δυνάμεις*, *ἐνέργεια*, vis viva, vis mortua, dynamic energy, potential energy, 'lebendige Kräfte,' or whatever else the diversities or impotence of language have suggested. These phrases, even were they congruous, do little more than repeat the problem in new words. We are still dealing with what is unperceived by any of our senses—itself, for aught we can tell, immaterial—and known only as the cause of sensible changes in the Matter around us. Nor do we gain much here by seeking, as some have done, to conceive of Force as a mere expression of the intestine changes which Matter itself, in its atomical parts, is ever undergoing, and which are in perpetual translation and interchange from one material form to another. This is shifting the difficulty without solving it. Whence come these motions and innumerable interchanges in Matter? What is the power initiating and propagating them? To say that it is one inherent in Matter itself thickens rather than dispels the darkness. M. Laugel enters into these questions, and we give the following passage as a good example of his style:—

'La force est ce qu'il y a de plus mystérieux dans la nature. Elle est dans la substance et n'est pas la substance; ou plutôt la substance étant perpétuellement active et passive, en tant que passive elle subit l'action de la force, en tant qu'active elle devient force à son tour. Car il ne faut point imaginer la force comme quelque chose d'extérieur à la matière ordinaire, comme une entité d'une espèce particulière qui se mêlerait aux corps, y entrerait, en sortirait, au gré des circonstances. Avant qu'on eût bien compris le caractère de l'universalité de la *force*, telle était l'idée qu'on se faisait des forces particulières. On parlait du fluide électrique, du calorique, de la gravité, comme d'essences réelles, sur-ajoutées en quelque sorte à la matière. Le langage de la physique n'est pas encore débarrassé de ces locutions vicieuses.'

M. Laugel here and elsewhere shows the intrinsic difficulties of the subject, but provides no new or feasible way out of them. The science of our day has instructed us largely, though yet imperfectly, in the atomic and molecular properties of Matter; and in those multiform changes by addition, subtraction, and substitution on which Chemistry, as a special branch of knowledge, is founded. But it tells nothing of that secret *motive cause* on which these changes depend, and by which they are translated from one portion of Matter to another, under exact equivalents of power and effect.

It is not surprising that this problem of Force, as grand as obscure, presenting itself in naked form even to the rudest intelligence, should have been seized upon with avidity in all ages. Some of the questions just denoted struck the ancient philosophers as they do us, and were answered with even greater audacity from the absence of those checks which inductive science imposes. The terms *τὸ πάσχον* and *τὸ ποιοῦν* briefly express the relation of Matter and

Force in the Greek philosophy. Cicero and Seneca both denote the points in question clearly and compendiously. The science of our own time, though it illustrates these relations in a thousand ways unknown before —though it may be said to have added a new element of power to those already known, and by gigantic efforts of human genius to have converted all to the practical uses of man—yet, as regards the internal nature of Matter and Force severally, has scarcely carried our knowledge beyond that of our predecessors. Motion and change show us the results of their relation, and with these science has its dealings, leaving still open the cardinal question, What is Matter? What is Force? Some philosophers, as we have seen, standing on the brink of these profound problems, merge all Matter in centres and lines of Force; others see Force only in the conditions and changes of Matter itself. We have half-a-dozen books and papers lying before us in which this question is handled, under various conceptions of the points in dispute. And many others are announced as about to appear.

In the recent multiplicity of these writings on Force, as an element in the natural world, we find justification for thus discussing the subject. The ambiguities besetting the term in its various relations have been rather multiplied than lessened by conflicting championship. Even in the case of Heat as a force this comment has its application. This great power so essential to life and all existence on earth, is now deemed to be a mode of motion of Matter itself; and its variations to depend on interchanges of such atomic motions, tending to equalise their degree, or cause their conversion into mechanical or other kinds of force. The main fountain of Heat to us, as well as of Light, is the Sun. This great body projects, through the ether of intervening space, waves or impulses, so variously and wonderfully propertied as to produce, on reaching the earth, those several effects of light, heat, and chemical action, of which the solar spectrum is the simple but sublime interpreter. To the Sun, then, we must look for that astonishing initial force, whatever it be, which from age to age combines and emits those complex undulations of which Heat and Light are the exponents to us on earth, while they alike pervade every part of the solar system. We may admit that Heat, as expressed by temperature in the grosser forms of matter, is simply due to intestine movements of their particles; but we cannot exclude the Sun as the present primary source of that power which these motions distribute and equalise. The discoveries of Tyndall show by what subtle molecular adjustments the heat thus received is prevented from freely radiating back into space. The question whether the sun loses by this unceasing emission of power—for we are not authorised to call it *substance*—and how this loss, if real, is repaired, have been subjected to various recenthypotheses, but without any certain or even plausible conclusion. If indeed the notion of necessary repair be admitted, we are called upon to provide for more than two million times the amount which the sun transmits to the earth, such being the relative proportion of this power lost—if lost—by projection into circumambient space.

Latent Heat again—or what we are called upon to regard as synonymous, *latent force* or potential energy—is among the conceptions which modern science has embodied in its doctrines; a difficult conception, indeed, but based on the apparent phenomena of bodies passing successively through the solid, fluid, and gaseous states. Even if Dr. Andrews' recent discoveries did not throw doubt on the interpretation of these phenomena, we should still have to ask, What is this latent force of Heat? The name implies an existing reality. In what does this reality consist? Theory can only answer, In some interior specific condition or arrangement of atoms, lasting until excited to fresh change. But see how much obscurity hangs over all this, when closely analysed! How much obscurity, too, in that general conception of *potential force or energy* stored up in matter, which furnishes so many startling illustrations to the scientific teaching of the day. It is deemed possible to say that Heat and Light, as forces or active powers, absorbed originally from the sun by vegetable life on the earth, and following the conversion of the latter into coal, have thus lain dormant for untold ages in a mineral form, to be finally extricated in the fires and furnaces of our own time. We cannot disprove this, or bring other hypothesis to meet the facts. But when we speak of heat as a force, consisting integrally in certain atomic motions of bodies, which force may be pent up for ages in these atomic recesses, yet ever ready for extrication, we are bound to look fairly at the abstract conceptions these things involve, if indeed they can be truly understood in any other way than as simply expressing phenomena. The word Force, with all the adjuncts imposed upon it, still looms before us, as a mysterious symbol rather than an intelligible reality.

We have been led to dwell long on this

subject from feeling that the conception of Force—the very backbone, we may call it, of physical science—has been grievously disjointed by the various and vague use made of the term. Whether any word or phrase could be devised giving more unity to the idea, and to the phenomena it embodies, may be doubtful. We do not ourselves venture to suggest one. The radical difficulty lies in the mysteries of nature itself, which we have not sufficiently penetrated to draw this unity from their depths. Such difficulty becomes more manifest as we pursue the subject into other of its ramifications. If we do so here, it is less for the purpose of exposing the deficiencies of our knowledge than to show what science has done, or is yet seeking to do, in the several cases where Force is brought in as the exponent of phenomena.

We pass over mechanical forces, though to these also some of the foregoing remarks will apply. Coming to Gravitation, we are on smoother ground as regards the sequence of facts and the phraseology expressing them, though still ignorant of the intimate nature of this great power of the universe. Unlike other forces in the sublime simplicity of its laws, this very simplicity becomes a bar to research. The legacy of ignorance which Newton left behind him, declaring, with the wonted candour of genius, that he did so, has descended to his successors in the inquiry, who must, in their turn, bequeath it to posterity. Several mathematicians and experimentalists of our own time —Faraday among the latter—have adventured on the research, with the especial object of bringing Gravity into some direct relation with the other forms of force, but hitherto in vain. And we are compelled still to abide in the simple view of Gravity as a force incorporate in matter itself throughout the universe, and under every shape which matter can assume, in our own or other worlds. This itself is a grand conception; but it is a solitary and shapeless grandeur, which we might well desire to exchange for more substantial knowledge.

But while speaking of Gravity, can we rightly exclude from the name or conception of Force those *repulsions* which we recognise in the material world; most obviously in atomic actions and changes, and in electric and magnetic phenomena; but also, as we have some reason to suppose, in cosmical changes beyond the limits of our globe. Boscovich admitted such repulsions as a part of his theory of forces, and some modern physicists (we pray for a happier word denoting them) have adopted the same view. But it is a point less regarded generally than it ought to be by those who think or write on this subject. Other modes of action, again, we designate by the one short word, the use or abuse of which we are now considering. Centrifugal force, though recognised only as an antagonism, yet has a special reality as such. The force of cohesion, denoting perhaps only one mode of action of a larger power, must nevertheless be admitted into use as the exponent of very important natural phenomena, which we cannot otherwise illustrate than by this or other equivalent terms. To treat fully indeed of all that may be attributed to the atomic and molecular forces of matter would be to fill a volume with facts, theories, and conjectures. The phenomena of crystallisation alone, seen under the microscope, and duly appreciated in all their bearings, bring before us a marvellous exemplification of these occult forces and actions in the atomic world.

There yet remain certain powers in the world of creation which, whatever their affinities to those already named, require to be regarded apart, viz., the Vital Forces, and the Force of Volition. In the first of these terms we indicate that mysterious agency which gives form, function, and hereditary succession to all living organisations of the earth, affording to science problems of supreme interest and supreme difficulty. The notion of a *vital principle* has been rejected by many physiologists as unproved and needless. But here, again, it is the old conflict of words. That there is some power or force, call it what we will, working upon matter as its subject or instrument in the creation and maintenance of the various forms of life; and that this power, however connected, has its own special character, cannot be denied without casting off at once all that our senses as well as reason teach us. The simple fact of the transmission of hereditary likeness through successive generations, is in itself a volume of argument on the subject. To say that a *nisus*, or force or forces, inherent in matter itself, can create a series of living beings of definite forms and most complex functions, is either a naked assertion without proof, or a virtual admission of Vital Force under another form of words. The generation of life from life is, and probably ever will be, one of the insoluble mysteries of philosophy. If asked what this Vital Force is, we may answer by the counter questions—What is Gravitation? what that force which puts the ether of space into those marvellous motions which we receive as light and heat? These

problems are all of the same kind, involving questions with which no present reasoning or conception can cope.

We come last to a power closely associated with those by which life is engendered; viz., the Force of Volition, of the Will, an entity not less real in its action on matter than any of those other unseen powers with which we have been dealing. If, indeed, we phrase the whole question as involving the Origin of Force, there is none so direct and explicit in the relation of antecedents and effects. And there is none of which we have so clear a knowledge through the consciousness of our own powers. Man feels that he has a will; he knows that his physical and moral forces are governed by it; and he concludes that the operation of forces not directed by an intelligent will would lead to the return of chaos. We *will* a certain bodily action, and the action instantly follows; as mechanical in its effects as the fall of a heavy body or the stroke of the steam-hammer. Whatever definition of force be adopted, this comes integrally under it; though the question as to its nature and origin be still wholly unresolved.*

If we have pursued this subject of Force to the weariness of our readers, we must seek excuse from the large part these questions are made to play, in the science as well as speculation of our time, and from the frequent confusion introduced by the vague or incongruous use of the word itself. We do not profess to have done more than simply indicate what is yet wanting to our consistent comprehension of the idea. Human reason is perhaps incompetent to grasp in its entirety this great problem of Force; but a patient research into, and strict analysis of, phenomena may give us nearer approach to that unity of power which we have cause to consider the ultimate truth. There is little chance of entering *per saltum* into these secret places of nature. And the fine saying of Pascal may profitably be remembered: 'L'univers nous écrase. C'est le privilége de l'homme de savoir qu'il est écrasé.'

From the forces moving matter to the matter moved—a step downwards, it might seem, but which is in effect a descent from the clouds to the *terra firma* of physical science. We might, indeed, plunge into mysteries here also, if seeking for a definition of Matter in the abstract, and that relation of its existence to the percipient mind which has been the metaphysical wrangle of ages. When Mr. Mill somewhere defines it as the 'permanent possibility of sensation,' we see, though dimly, what he means, but gain nothing by the definition. Fortunately, experimental science is seldom led far astray by the vague phrases of philosophy.

It regards matter in a real sense, as made up of parts or atoms of inconceivable minuteness and mobility—each atom, whatever its elementary nature, having its individual properties and relations to others, whether similar or dissimilar in kind—which properties and relations, brought into action by what we call forces, from within or without, give origin to all the motions, changes, and endless combinations and forms, living and lifeless, which we see around us. In saying this, we are denoting what is the true foundation of Chemistry—that great science which, while embracing some of the most important objects of human research, practical as well as purely scientific, is now so closely blended by correlation with other sciences that all limit is lost, even to a definition. The phenomena of electricity—those of light and heat in their innumerable aspects,—animal and vegetable physiology—even astronomy and the mechanical sciences, and, yet more, all the practical arts, are thus interwoven with chemistry—a union continually advancing with the advance of knowledge; as must of necessity be the case in a science based on the elementary parts and motions of matter, and thus related to the forces on which these motions depend. The word Chemistry, feeble and partial as originally applied, now appropriates to itself a vast space in the domain of human knowledge.

We have stated our design of briefly illustrating in this article some of the more marked characteristics and attainments of recent science. Before dilating on that branch of it which thus deals with matter through its infinitesimal parts, we might invite the notice of our readers to that loftier study which has for its province the heavens and their numberless worlds. The progress of astronomy during the last few years has not been less rapid than that of the other sciences, with some of which it has become united by new and unexpected relations. To the most remarkable of these we shall have occasion immediately to refer, though with another object. But the discoveries due to spectrum analysis, the greatest astronomical achievements of our time, have been so fully described in a late number of this Review, that we may best avoid repetition by hasten-

* An admirable paper by Sir J. Herschel, on the 'Origin of Force,' may most profitably be studied in reference to this point, as to all others connected with the general problem.

ing to another subject, though loath to quit one replete with grandeur in itself, and exemplifying so wonderfully the genius and intellectual prowess of man in his higher grades of cultivation.

We revert then to Chemistry, the objects of which as a science and its rapid and various progress we have just denoted. Our further notice, however, must be limited to a few only of the attainments of recent years. A large proportion of these may be said to belong to, or to come in illustration of, the atomic theory, of which the two great processes of analysis and synthesis, in their most general sense, are at once the exponents and instruments. To this atomic theory we shall have occasion to allude again. Meanwhile we must treat of it here as practically the foundation of modern chemistry, of its researches, doctrines, and nomenclature. In its origin a rude and unformed bequest of ancient philosophy, it is now fashioned and perfected into a system to which the attributes of number, weight, and proportion give a character of proof next to mathematical in kind. The power of predicting results, and obtaining them after prediction, is the high prerogative of the chemist of our day. He may feel justly proud of those tables which in the synthetical exactness of their series, even when most complex, express at once the certainty of the facts and the subtlety of the processes by which they were obtained. The gaps in these series have been gradually filled up, in accordance with the laws of numerical proportion, which determine the relations of atoms in their simplest form. The secondary relations of compound atoms, or *molecules* as they are distinctively called, show the same fixity of combination according to atomic weights; even the most complex union of compound bodies ever taking place in multiples of the combining proportions. The curious facts regarding chemical equivalents, or the substitution of one elementary body for another in a given compound, all attest the same law of definite proportions; which, even apart from experiment, might be presumed a necessary consequence and corollary to the atomic theory. Securely aided by this theory, the chemist penetrates deeply into the intimate constitution of matter; and bringing this knowledge into practice, is able, by chemical processes, to extricate the most brilliant dyes from common coal-tar; and to derive from the nauseous dregs of distillation various compounds gifted with fruit odours, fragrant enough to serve for the most delicate confectionary.

These topics, however, involve too many details to allow of our following them further. But having named analysis and synthesis, the terms which summarily denote the processes nature employs, or man devises, to bring about the changes in question, we will briefly advert to the new channels, as they may fitly be called, which have recently been opened out to analytic chemistry. A new method of research may well take rank among the highest discoveries, when, as often happens, it is the prolific parent of them.

The first of these methods is that of the Spectrum analysis; already abounding, as many of our readers are aware, in wonderful results, though but a dozen years ago the bare suggestion of a few men of genius who looked forward in advance of their time. The discoveries due to it are cosmical in the largest sense. They directly associate chemistry with astronomy, and give us a new knowledge of the sun and fixed stars which it might well seem beyond human compass to attain; but, being attained, becomes the best augury of what may hereafter be reached by similar research. Descending from celestial to earthly analysis, we may affirm it as probable that the four new metals—cæsium, rubidium, thallium, and indium—would never have become known to man but for those delicate spectrum lines, betokening in each case the presence of some element hitherto unseen by human eye. Nor without this aid should we have learnt that lithium, before deemed one of the rarest of metals, is diffused more universally than almost any other in the organic as well as inorganic matter of our globe; attesting by this diffusion, however infinitesimally minute the quantities concerned, some hidden use in the economy of nature.

From this method again we obtain further evidence, were such necessary, of the inconceivable minuteness of those atoms and molecules of matter which have hitherto been subjected to the grosser processes of chemical analysis. The detection, by its yellow spectrum line, of less than a millionth part of a grain of sodium in the air, is a striking instance in point; and many equivalent examples might be given. In truth, this very minuteness of the ultimate parts—the *σώματα ἀδιαίρετα*—of matter, as well as their exquisite mobility, if not indeed their *unceasing motion*, are necessary to any conception we can form of the phenomena of the material world. We must not here go aside to plunge into the depths of the atomic theory, otherwise we might add to these postulates that of *determinate figure*—a necessity, as we must regard it, of the functions they perform—the only key to the phenomena of definite proportions, isomorphism, allotropy, and other facts and doctrines embodied in

chemical science. Adaptations, perfect and constant such as these phenomena present, can hardly co-exist but with forms equally perfect and permanent. But admitting this, what system of atomic morphology can be constructed to meet all the conditions of the problem? Nearly seventy kinds of matter are still elementary to our knowledge. Are we to suppose different figures of the component atoms of each of these? Or in sight of this difficulty, may we presume that many of them are really compounds of simpler elements, though beyond the reach of discovery as such? or allotropic conditions of the same element, as Dumas conjectures regarding chlorine, iodine, and bromine? Questions still more intricate offer themselves when we come to the molecular compounds of atoms. Here we are almost compelled, on physical conditions, to suppose a variety of configurations, as great as the diversity of properties, which these molecules exhibit; and which are in no way more curiously exhibited than in their various actions on the animal economy. A slight difference in the proportions even of the same ingredients in a compound, makes the difference between a food and a poison. Professor Tyndall's experiments on the transmission of radiant heat through gases have already furnished conclusions of great interest to our knowledge of molecular physics. We would willingly look to his labours and genius for further exploration in this field of research.

In close connexion with these questions, we most refer to another new method of analysis —the growth, it may be said, of our own time. We allude to the admirable researches of the late Master of the Mint, whose death (following soon after that of a still more illustrious philosopher) we have much cause to deplore. Professor Graham, in devoting his long labours to the illustration of the phenomena of the effusion and diffusion of gases through each other, and through intervening septa of different substances, has done more than any other experimentalist in *materialising* atoms and molecules to our comprehension; by showing their distinctive and relative modes of action; their separation even from what we call chemical combination by other than chemical reactions; and their different capacity and rate of penetration through the porous media used to effect this separation. When we are told that the pores of graphite (one substance employed as a septum) are so minute that a gas cannot pass through in mass, but in molecules only, we obtain a certain relative comprehension of atomic elements, and an index to collateral inquiry in this very interesting branch of physics. Such inquiry cannot fail to be pursued further. In his paper on the molecular mobility of gases, Mr. Graham enlarges upon and justifies the belief that continual intestine movement of atoms or molecules is an essential condition of matter in a gaseous state, these movements being different in different gases. This inference indeed is almost inevitable from the experiments he has recorded; and serves to interpret other known phenomena, which scarcely admit of being otherwise explained.

Let us here notice in passing that Lucretius, that wonderful poet and the predictor of much that has been proved and amplified by later research, foreshadows in some sort the recent discoveries of Graham and others, on the diffusibility and penetrability of different kinds of matter (lib. ii. 288, *et seq.*). His great poem deserves to be read in its relation to more than one of the doctrines of our own day.*

We might almost mention among new modes of analysis, were it not that the products evade examination, those beautiful experiments of Tyndall, in which he decomposes highly attenuated vaporous compounds by the solar or electric beam, passed through the tubes containing them. The delicate aërial clouds, gradually developed in these tubes, while they illustrate the exquisite atomic tenuity of matter, suggest analogies or explanations of other physical phenomena occurring in our atmosphere, as well as remotely in the universe around us.

Before quitting the atomic theory, we must briefly notice the remarkable conclusions drawn from the theory of gases by Sir W. Thomson and Clarke Maxwell, as to the minuteness of the molecules composing them—a minuteness of which a hundred millionth part of a centimetre is but an approximate expression. More recently again, Sir W. Thomson has denoted what he considers evidence of fixed physical limits to the smallness of atoms and molecules—one very ingeniously derived from the contact-electricity of metals—others drawn from the theories of capillary attraction, and from that of gaseous actions; severally affording proof that such limits do really exist. These conclusions, though we can in no way con-

* Speaking thus of Lucretius, we are tempted to transcribe a few lines we have not seen quoted in reference to the topic, now so much discussed, of the early condition of man, and the order in which he successively fashioned weapons and implements to his use.

'Arma antiqua, manus, ungues dentesque fuerunt;
Et Lapides, et item sylvarum fragmina rami.
Posterius Ferri vis est, Ærisque reperta.
Sed prior Æris erat quam Ferri cognitus usus.'

travene them in theory, and though they express what may perhaps be called necessary physical conditions, yet are hardly determinate enough to be recorded as scientific truths. The huge array of figures which modern science so often forces upon us in describing each extremity of the scale of magnitudes in nature—whether of matter, or space, or motion—often creates distrust in men, even the most intelligent, not accustomed to physical evidence. The concurrent and co-ordinate nature of this evidence, and the power it so frequently gives of predicting results, furnish all needful reply to scepticism of this kind. That it should exist can hardly create surprise.

A word more we must say of the late Master of the Mint, in reference to the most recent of his researches—that which justified him, as he considered, in placing hydrogen, under the name of Hydrogenium, among the metallic bodies. We have little doubt that he was right in ratifying a suspicion which had before been broached to this effect. The singular resemblance to metallic alloys of the compounds of hydrogen with certain metals, scarcely admits of other conclusion than that this gas, the lightest of all known matter, is itself really the vapour of a very volatile metal! The most striking testimony is that derived from the absorption of hydrogen by palladium; amounting in some cases to nearly 1,000 times the volume of the latter metal; and producing a compound, strongly characterised in its properties, as shown both in the results of charging with hydrogen, and in those which attend and follow its exclusion from the alloy.

This discovery, if we may so deem it, has much value, not solely in itself but also in the collateral suggestions it affords. Familiar as we seem to be with Oxygen, there are still certain anomalies regarding this greatest element of the natural world which are awaiting further solution. Such are its allotropic states, and the true theory of ozone. The same may even more especially be said of the other great element Nitrogen, so wonderfully associated with oxygen in the atmosphere of our globe—not chemically, we are told, and yet everywhere and always present in such exact proportion, that it is difficult not to suppose some atomic relation beyond that of mere admixture. But taking nitrogen singly, as an element to our present knowledge, we know few chemical objects better fitted to stimulate and reward research. Considered in its simplest state as a gas, it is chiefly defined by negative qualities; while in its compounds it furnishes some of the most violent agents, explosive and poisonous, which nature or art has produced. These explosive actions are explained by the phrase of *instability of combination* applied to them; but no explanation has yet reached those by which living organisms are affected. The natural relations, indeed, of this element to animal life, both in its structure and functions, are matter of high interest. Nor must we omit those recent discoveries which give to Nitrogen a cosmical existence in planetary space, together with hydrogen and the several metals which have yielded their lines to the spectrum. Its relations to hydrogen in the form of ammonia are among the most important in the economy of nature; while the strange alloy produced by the union of ammonia and mercury affords suggestions which may fitly become the basis of future research. Under the same view we would notice the singular and exceptional relations of nitrogen to titanium and boron—all these things concurring to furnish motives as well as means for further inquiry.

In dwelling thus long on these parts of chemistry, we have little space left to speak of the synthetical branch of the science; though this too has been greatly advanced of late years by the labours of chemists both at home and abroad. The most interesting discoveries here are those which bring the chemistry of organic life into connexion with that of the inorganic world. By processes successful in their subtlety, various products have come out from the laboratory, identical with those which were before considered exclusively due to the functions of animal or vegetable life. In regarding, however, these and other kindred achievements, we must not view analysis and synthesis as oppugnant or detached methods of research. The processes by which atoms and molecules are rent asunder from their compounds have close relation to those by which they are restored to the same, or to other combinations, often new and unforeseen. They mutually aid and abet each other, illustrating in this that great law of continuity which prevails throughout all nature.

In mentioning this law—first distinctly stated by Leibnitz, but verified and largely amplified since—we may again briefly advert to the recent experiments of Dr. Andrews, annulling the old view that the solid, liquid, and gaseous forms are severally assumed *per saltum*, and proving a continuous and gradual change from one of these states to another, subject to conditions of heat and pressure. These researches we regard as highly important; not solely in relation to the theory of gaseous bodies, but also to the doc-

trines of heat, and generally to all phenomena in which atomic actions are concerned.

We cannot close this short sketch of the state of chemical science without adverting to one great *hiatus* (*valde deflendus*, we may add) in this great department of knowledge; the want, namely, of some single System of Chemistry, which, basing its classification and nomenclature on philosophical theory, may give true relation and congruity to facts, now become appalling from their multitude and various interpretation. We have before us at this moment four several volumes, the works of chemists of high and merited eminence; each adopting and carrying into details its own special principles of arrangement and nomenclature. In some cases these differences involve cardinal points of chemical theory. In all cases they are embarrassing to the student; and very especially so in organic chemistry, the newest and most arduous department of the science. Still, we can hardly feel surprise at the deficiency we state, seeing the enormous complexities of the subject; augmenting rather than diminishing with the discoveries successively made and the new objects and methods disclosed. The various problems left only partially solved regarding atoms and molecules —their figure, magnitude, motion, relative weights and affinities—may well explain the difficulty of obtaining one single system, sufficient and permanent. Take the example of what are called 'compound radicals'—particular compounds having fixity enough to act as bases in other combinations. This conception is forced upon us by facts; but these facts admit of being differently construed, and actually are so by different chemists. With all this, we cannot doubt that Science, advancing in every direction, will eventually construct some chemical system more simple and complete than any we now possess; though still not reaching that principle of unity and power towards which, as a basis, the aspirations of all scientific men are directed.

From Chemistry we come, by the correlation of numerous phenomena, to Electricity — that wonderful element — scarcely three centuries ago recognised only in the flashes of the thunderstorm, or in the trivial attractive power of amber and a few other bodies—now known to us as one of the great powers of the universe; penetrating and pervading all matter, and present under one form or other in every act of physical change. In no department of science has the research of the present century been more active and successful. The advance of later years indeed has consisted not so much in the discovery of new elementary laws as in the application of those already known. New modes of evolution, and augmentation of power through induction and the conversion of mechanical into electrical force, furnish notable instances of such progress. And yet more those inventions, admirable alike for their genius and boldness, by which the Electric Telegraph has been spread over the globe, and subjected to man's control even in the uttermost depths of its ocean channel. The relations of Electricity to Magnetism, though the identity of the element of power is proved, have received little further development; and many obscure questions are here awaiting solution from some higher law yet undiscovered. The influence of electricity on the vital functions is still a very unsettled problem, and the conflicting results obtained by experiment impair the evidence which Science requires for their adoption.

But the great mystery here, to which all others are subordinate, centres in the simple question, What is Electricity? what the actual nature of the element thus wonderfully propertied, and, as we have reason to believe, fulfilling in other and remote worlds the functions through which we know it in our own? In that general conception of the Unity of Creation, expressed heretofore in the phenomena of Light and Gravitation, but now enforced upon us by so many new and unexpected evidences, we cannot refuse to admit Electricity as one of those great cosmical agents which combine and control the elements of power and action in the universe at large.

But reason is not to be satisfied with magniloquent phrases. The question comes back upon us, What is Electricity? It is one which has tried, but vainly, the genius of many philosophers of our time, Faraday among the latest. True genius like his can afford to admit failure, and is ever ready to make the confession. The question still remains unsolved; a problem for the labours —or, it may be, for some felicitous accident —of the future. We have spoken of electricity as an *element*, but this term does nothing more than shelter *elementary* ignorance of its nature. With all our various knowledge of electrical phenomena, the first letters are yet wanting to the alphabet of the science. We speak of positive and negative electricity, of poles and currents, of induction, of quantity and intensity, of electro-magnetic actions, &c., but we still conceive and define these conditions solely by their effects. The question still recurs, What is Electricity?

No step can be made to its answer without facing another question. Is Electricity a *material agent*, special in its endowments as such? Or is it merely a property or condition of matter, deriving its phenomena from the atomic and molecular changes which matter in its many known forms is ever undergoing? To halt before this question is virtually to suspend inquiry. But have we not cogent reason, taking the largest view of the phenomena, for regarding electricity as itself a *material element?* The methods by which we elicit, accumulate, and conduct it, whatever theoretical difficulties they involve, are far better comprehended upon this hypothesis than under the vague view of their depending on atomic actions of the bodies electrically affected. To speak of polar states or chemical changes in the atoms of matter as *constituting* electricity, is but to hide the real difficulty. In electrical actions there is *something evolved*—a power capable of conducting to unlimited distances with equal velocity to that of light. This conduction, as it occurs through wires, bears cogently on the question. The differences of effect produced by the varying material, thickness and length of these conductors, can hardly be reconciled with other views than that of a specific agent; acting in a certain ratio to its quantity and intensity, and capable of being estimated under these relations. The properties of quantity and intensity, and still more the faculty of being *concentrated and accumulated within determinate spaces*, especially characterise electricity, and associate it closely with those conditions which designate matter to our knowledge.

If we admit this, another question at once arises, Can we identify this electric element with any other known agent in the natural world? What we needfully require, is some agent *cosmical* in the largest sense of the word, since the electric influence is present not solely in the atomic and molecular changes of matter, but in regions of space far beyond our sphere. This universality led Faraday to conjecture some direct connexion between the force of gravitation and the electric power; but he failed in finding any experimental proof of this hypothesis, and avowed the failure.

But before hurrying to the theory of a new and special power (a bare assumption, complicating yet more the knotty problem of the elementary forces), we are bound to see whether any natural element, already recognised, will so far answer the conditions required as to be plausible in itself, and not to involve any physical impossibility. Such element we venture to believe may possibly be found in the *Ether of Space;* and as this hypothesis, though not wholly new to science, has yet been only partially advocated, we must ask to be allowed a few words in its illustration.

Under the provisional name of Ether we recognise in space around us, a *medium* capable of transmitting the direct and reflected waves of Light and Heat; and itself physically necessary for such transmission. While forced to call this medium *imponderable*, its *materiality* must be inferred from the very nature of the functions it performs. Vast and complex though these be, we cannot limit them to outer space only. We find full evidence from optical and other phenomena that Ether inter-penetrates and pervades the densest bodies on which it pours its waves. May we not assume the fact generally, that where it comes into contact with our atmosphere and the grosser forms of terrestrial matter, it assumes other conditions and properties than when diffused equably and continuously through space? Reflected and refracted we know its waves to be. May they not also be condensed, accumulated, evolved, conducted in currents, and otherwise modified by the kind of matter thus pervaded, and the changes this undergoes from other causes acting upon it? Without assuming a knowledge we do not possess of the infinitesimal actions of the atoms and molecules of matter, we may at least deem it certain that the agency of ether impinging upon and penetrating them, cannot be limited to the phenomena expressed by light and heat only; or that its elasticity, tenuity, velocity of wave-motion, &c., remain unaltered, when coming into that close atomic coalescence which all analogy tells us to be the condition of most energetic physical action.

If failing to bring direct proof of the presence of ether in these subtle phenomena, let us see whether electricity may not fairly be invoked as its representative and real substitute. What, in short, is there to forbid the conception that electricity is the ether itself—not existing as when diffused through inter-planetary and stellar space, but from its embodiment with terrestrial matter—solid, fluid, or gaseous—quickened into new conditions; acting or acted upon in all atomic changes; and in certain of these extricated in such quantity and manner as to become a power in the hands of man? Can an agent such as we must suppose ether to be, lie dormant in the innermost interstices of matter, while the smallest change of condition, even by friction or the simple apposition of different bodies, awakens another power within them into life and energy? Is it probable or possible that two distinct ele-

ments should co-exist in the same interstitial spaces, with separate relations to the matter thus environing them? We put these points interrogatively, but they are surely such as may sanction hypothesis, in default of any more absolute answer to the question, 'What is Electricity?'

The velocity of the electric current in its close approximation to that of the ether waves of Light, may be admitted into the argument for identity. All such facts give proof of the astonishing subtlety and mobility of the element concerned, and of its capacity to assume altered physical aspects when brought into contact with the ponderable forms of matter.

It is not requisite to vindicate this hypothesis in its application to all the phenomena of electricity, when every other theory has failed to interpret them. The problem of the two electricities embraces the most arduous of these questions—departing from all recognised properties of other powers, and still a barrier to the boldest conjecture. But there is nothing here to contradict the view of ether as the agent concerned—nothing certainly to establish the claim of any other element. The difficulty being equal and alike under any hypothesis may fairly be eliminated from the argument. And the same may be said of those magnetic relations of electricity, which in the phenomena of diamagnetism and magnetic lines of force; of magne-crystallic action, and of the direct action of the magnet on electric currents, offer many questions of supreme difficulty, but not more insuperable on the view which identifies the electric element with ether than on any other.

Several other points might be urged on behalf of the hypothesis, had we space for them,—such as the meteorological relations of electricity, and the wonderful phenomena exhibited by the crystalline texture in connexion with light and electricity. Still, however, it is obvious that the argument is one of *presumption* only, and from the very nature of its conditions will never probably get beyond this. But we think that it merits to be brought thus far before our readers, both from its intrinsic plausibility, and as an example of the great questions which are now currently discussed in the scientific world.

The third of M. Laugel's volumes comes before us entitled 'Problèmes de la Vie,' a title expressing at once the mysteries of the subject, and, to those who have read his preceding volumes, the line of thought and argument he is likely to pursue in dealing with them. Leaning towards materialism, yet not in the same hard and exclusive sense as Virschow, Vogt, and other German writers, he seeks, as far as possible, to bring vital functions within the domain of ordinary physics; and argues, as others have done, against the use, or abuse, of those terms, 'vital principle,' 'vital force,' 'vital energy,' which have been employed to veil our ignorance of the reality. Refraining from analysis, or any general adoption of his opinions, we think it better to present to our readers a summary view (in sequel to an article many years ago) of what science and speculation are still doing in this ample field of inquiry.

The first of the 'Problems of Life' lies in the question 'What is Life?' It has undergone a dozen definitions; some by eminent authorities, but all liable more or less to objections from error, incompleteness, or obscurity. The problem has pressed upon every age of mankind, and in our own time has been brought into connexion with the latest discoveries of physical science. Still, however, we need a definition which may satisfy all the conditions without becoming valueless from its generality. That given us by Aristotle, though clouded by some terms of Greek philosophy, is as good as any that have succeeded it. The well-known definition of Bichat, 'La vie est l'ensemble des fonctions qui résistent à la mort,' and that of the Encyclopédie, 'La vie est le contraire de la mort,' are too epigrammatically negative to be of any use. They omit too that which is the very essence of all life, viz., the faculty of reproducing life, more or less like in kind to itself. No definition can be good which does not include the condition of an organisation, capable by sexual or other means of such reproduction.

We think, too, that *Time* should be admitted as one element in the definition sought for. Every form of life, endlessly dissimilar though these be, has its average period and limit of existence, as well as a certain defined chronometry of all its functions. Growth, maturity, final decay, and death, belong to living organisation in its very shape on earth.

An eminent philosopher of our own time describes Life as 'consisting in the continuous adjustment of internal relations to external relations,'—a definition which loses value in its generality. A power of adjustment indeed brings us close to that conception of a vital principle, which we have just noticed as one of the vexed questions of physiology. We alluded to it cursorily when speaking of the Vital Forces; but must add a few words here, to denote more explicitly what we think to be the true conclusion on the matter. We cannot assert on actual proof that Life is engendered by, or

engenders, any power or force peculiar to itself. Nevertheless in recognising, which we must do, that there is some definite mode of action in living bodies, giving to them forms and properties unknown elsewhere in nature, and transforming known forces so as to appropriate them to the peculiar functions of Life, we virtually admit a special and characteristic power, call it what we will. The facts connected with generation and those of hereditary resemblance, are alone sufficient to point to some cause, physical it may be, but not known to us by actual identity or analogy with any other physical power.

Whence but from some such cause—occult to us—can it be that a single germ or germs, proteine or protoplasm (the names here signify little) should evolve by gradual accretion of matter, the likeness of an anterior being, even in minute peculiarities of form and feature; these same peculiarities, morbid as well as natural, often recurring, after one or two generations have been interposed?* The animal economy throughout, in its instincts as well as structure, enforces the same conclusion—a negative one it may be called, but it is better to rest in this than to attempt a blind and useless definition. All that can be said is, that there *exists something* we do not comprehend. The controversy now going on will continue, because we possess no *crucial* proof, or argument to close it. In this it is like many other questions, similarly contested.

In what, and how, and when, did Life begin on our globe? In its lowest aspects, whether animal or vegetable, we see nothing more than a few material elements, aggregated under the simplest forms; with few organic functions, yet these such in kind as to preserve existence for a certain time—to provide for a succession of similar existences—and this fulfilled, to expire. From these simple conditions (taking animal life as best for illustration) we find a series rising upwards to forms and functions the most complex and complete. In no part of this ascending scale is there any wide gap; what in many cases seemed such, having been, partially at least, filled up by recent discovery in the living or the fossil world. However this series may have begun, and whether it has been worked out by derivation or evolution within itself, or by successive acts of creative power, equally must we affirm the unity of the whole, and the necessity of a First and Supreme designing Cause. If the endless forms, functions, and instincts of Life which surround us be derived by progressive changes in unmeasured time from a few primitive types of being, such changes bespeak certain vital laws acting on matter, through and concurrently with the other great forces of the natural world. Under any and every view of the subject, intention by a higher power, however obscure to man as the interpreter, is manifest as the foundation of the whole—the sole standing point to our reason, when regarding the origin, varieties, and perpetuation of animal life on the earth.

This recognised, we are better prepared to meet the several questions which science has suggested, or speculation created, upon the subject. And the first we encounter here is one of the most momentous; that, namely, which respects 'Spontaneous Generation;' an inquiry bequeathed to us in a vague form from remote antiquity, and recently revived under conditions of very delicate experimental research. The question simply is—Can matter of any kind, under any circumstances, generate life, without the presence of the ova or germs of prior life? Though the inquiry has applied itself only to the lower forms of infusoria, whose motions under the microscope may almost be called a mockery of life, yet it is one of deep interest, whatever the issue; involving, as it does, in connexion with recent doctrines of derivation and development, the whole question of the origin of life on the earth. This interest is testified by the keenness of controversy going on. The careful and refined researches of Pasteur and Pouchet, on opposite sides of the question, in France, have been carried forward by English observers, with not less skill in experiment; yet the contest still goes on, even angrily, as to these units of creation; whether the old doctrine shall be maintained, '*Omne vivum a vivo*,' or whether inorganic matter may not, under certain conditions, assume the lower characters of life?

If called upon to give any judgment where assertions are thus conflicting, and the tests of truth so difficult, it would be in favour of the former of these opinions; while admitting that we have no absolute proof to gainsay the latter. One might well borrow here the phrase of '*De minimis non curat lex*;' for the objects are too small and evanescent to furnish the evidence required

* This problem, if it could be solved, would carry us far deeper into the *arcana* of creation than any other attainment of science. Mr. Darwin, feeling this fully, has in his last work, modestly but very ingeniously encountered the question by an hypothesis, which, if unproved, and in its nature incapable of proof, is at least as probable as any that can be devised. His chapter, entitled Pangenesis, deserves to be studied, if but to call attention to what we may term the *necessities* of the problem.

for conviction. But the question is still under judgment; and the inquiry, even without any positive issue, will probably disclose collateral secrets in that great volume of nature, which is now so diligently explored.

We have no room to speak of those many recent discoveries in Zoology and fossil Geology, illustrating at once the ancient conditions of the earth, and the multitudinous forms of life, which have successively existed and been extinguished on its surface. Vast as is now the catalogue of animal species, or what are called such, every year is adding to it. Nothing indeed more startles contemplation than the *quantity* of life upon the earth. Around us, above us, below us—air, ocean, lake, river, mountain, plain, and forest—all nature teems with it; from the whale, elephant, buffalo, and eagle, down to the monads and vibrios of infusorial life. And in this contemplation we must include the great law of nature which makes animal life, in its every shape and grade, depend for evolution and maintenance upon life already existing—a law strikingly attested even in those parasitic creations, now so numerously catalogued as to form a distinct portion of natural science. Death is the transmigration, not of *being*, but of the materials of *being* into new forms and modes of existence. And connected with this law we are called upon to recognise another fact in the general scheme of creation—viz., the obvious and constant provision for the maintenance of succession, even at the expense of individual lives. Among the insects, it is common to find those propagating life perish as soon as this function is fulfilled. We cannot explain these things, but must admit their reality.

Still less can we with our reason confront another problem of much deeper interest—viz., the relation of Man to the other forms of animal creation peopling the earth. Surrounded on every side by living beings—using them, consciously or unconsciously, as food, and even inhaling them with every breath, this question inevitably and closely presses upon human thought. In one point (and that the very important doctrine of *derivation*) it comes into contact with the Darwinian theory; and carries much of present and future controversy with it in this connexion. But there are other and less equivocal modes of viewing the relation of Man to other animals. The simplest is that which regards him as the head of the living creation—the latest probably, certainly the loftiest, in that long series of existences, which we follow downwards till animal life is lost in the lower organisms of the vegetable world. But this is a feeble outline of all that the question involves. Within the series just denoted lie whole volumes of facts, inviting or almost compelling research. The careless thinker may let his reason go to sleep on this admitted human supremacy. The philosopher, looking on the dog crouched at his feet, sees in him an animal with organisation variously akin to his own, and some senses even more perfect—with intelligence, memory, feelings, and passions of the same kind, however differing in degree and manner of use—with appetites and necessities of life similar also, though more in subordination to instincts and hereditary habits of the species. The idle spectator gazes on the anthropoid ape with mere merriment at this mockery of human form and gesture—*μιμήματα τῆς ἀνθρωπίνης ζωῆς*—as Aristotle calls it. The man of deeper thought cannot stand in face of these creatures without a certain feeling of awe, in the contemplation of that mysterious scheme which has brought them thus near to himself in the scale of being.

Pascal says, 'Il est dangereux de trop faire voir à l'homme combien il est égal aux bêtes sans lui montrer sa grandeur. Il est encore dangereux de lui trop faire voir sa grandeur sans sa bassesse.' The caution is chiefly needed for philosophers, since to mankind at large familiarity disguises this great wonder of the world of life. How few fairly accost the question, 'Whence and why this astonishing profusion and variety of animal existence, not solely that now under our eyes, but what has been entombed during uncounted ages in the rocks beneath our feet?' It cannot for a moment be contended that the great scheme of creation had Man solely in view. These innumerable vestiges of life, at periods far antecedent to his own time on earth, might alone suffice to disprove this. Equally is it negatived by our knowledge of existing life. It would not be too much to affirm, were such vague affirmation worth having, that not one hundredth part of the animal creation, counted by species, has any direct relation or ministry to Man. He is at the summit of the series, and in his highest cultivation far above the summit; but still he is a member of this series, and to be regarded as such.

We here approach a very interesting relation of Man to the inferior animals; one involving the whole question of reason and instinct, and beset with difficulties not easy to overcome. Broadly speaking, indeed, we may assert, that in the whole scale of being from Man downwards, these two faculties are found in inverse ratio to one another. But in reality it is often wholly impossible

to separate them. They co-exist, and are in such way blended together, that each has power to modify or contravene the other. It is difficult to gauge exactly in other animals faculties and functions, which we find it hard enough to define in ourselves; and it is only by taking the most characteristic cases of reason and instinct in animals that we can rightly discriminate between them. Yet the distinction is a momentous one, and especially interesting in relation to Man as the intellectual ruler of the earth.

Had we space for it much might be said regarding that faculty of reason among the higher animals, both wild and domesticated, to which we have already slightly alluded. Its existence is familiarly recognised in the phrases habitually applied to them; yet this very familiarity enfeebles, as in so many other cases, that sentiment of wonder which the fact might well inspire. Of their reasoning faculty no happier definition can be given than that of Cuvier: 'Leur intelligence exécute des opérations du même genre.' Milton says in more guarded phrase, 'They reason not contemptibly.' Locke, while conceding reason, denied to them the power of forming 'abstract or general ideas.' Taking the simplest view, we may affirm with Cuvier, that the *kind* of reason is virtually the same, however narrow in its scope and combinations. The mute syllogism of the monkey, or the dog, or elephant, is perfect as far as it goes, and might be translated into speech or writing.* It is less easy to speak of *reflection* as a part of their intelligence, and yet this term cannot well be excluded. That they possess and largely employ the memory of objects and events is indisputable; but we have not equal proof as to that more intellectual faculty of recollection—the *μνήμη συνθετική* to which the mind of Man owes so much of its power and attainments. Another question occurs as to their power of forecasting the future. An old English writer speaks of 'the boon to animals that they are nescient of evils to come.' Partially this may be true even as to the highest; but we cannot deny them the simple faculty of anticipating events near at hand, and which come into sequence with others of wonted occurrence. To these intellectual faculties we may add one more in the '*sense of humour*,' so conspicuous in many animals, though not duly noticed in the inference it affords. The gambols and sly artifices of monkeys well depicture the sports and tricks of human childhood. The dog, toying with his master, or gambolling with other dogs, evinces his feeling of fun as plainly as if it were put into words. And reflection will show how much lies beneath this single and simple fact.

As respects the passions and affections of the animals thus near to our confines, we must regard them as alike in kind to those which compose the moral nature of man, though very different in objects, and wanting the nice shades of human character in its various grades of cultivation. Without running into subtle distinctions of name or nature, it is enough to recite simply the common qualities open to all observation. Such are love and hatred, emulation and jealousy, anger and revenge, gratitude, boldness and fortitude, pride, and perhaps vanity, cowardice, and cunning. These qualities are not defined by difference of species only. As in man they characterise individuals of the same species, and are innate, more or less, in the temperament of each.

It does not concern us here to trace these animal faculties and feelings downwards in the scale till they vanish in the bare instincts of existence. On this subject of Instincts, however, a few words must be said, though volumes would be needed to embrace their wonderful history. M. Laugel's title 'Problèmes de la Vie' well characterises phenomena, which perplexed the mind of Newton, and continue to embarrass the philosophers of our own day. We have already spoken of the affinities of Reason and Instinct. There is, in fact, a *border-land*, where they are strangely and inextricably blended; each invading the domain of the other, and reciprocally producing changes, which variously affect the functions of both. Acts primarily of reason and volition pass by repetition into habits having the compulsory force of instinct, and often transmissible to offspring. While instincts, forcibly interfered with, often evolve new faculties of action, which, if we shrink from calling them acts of reason, can only be understood as newly developed forms of instinct—a difficult conception indeed, in seeking to realise which we plunge at once into the inner mysteries of the question, What is the power at work in the purely instinctive acts of animal life?—in the instincts, for example, of the bee, the ant, the spider, the salmon, the beaver, the tailor and weaver birds, and endless others? The instances most familiar to us represent in effect the marvel of the whole, and put the question of origin into its most cogent shape. Newton found no other solution than that

* Cicero indeed speaks of the '*mens, ratio et memoria*' of the Ant; qualities which, in this case as in the Bee, we now ascribe to instinct; though not without a certain hesitation where to draw the line.

the Author of Life is himself the *moving power* in the innumerable forms of instinct—risking in this the charge of Pantheism, that barrier at which so many attempts to reach what is unreachable come to an end.

We cannot err, however, in regarding Life, and the generation of life from life, as integral parts of the same great problem. Instincts, define or distinguish them as we will, are strictly appurtenances of generation—of that power which transmits hereditary likeness from one generation of a species to another. The question whether, and how far, they are dependent on mere bodily organisation, merges in this, though we can hardly say that it thereby comes nearer to any sure solution. That many instincts have a special organisation adapted to them is too well known to need illustration; and it is equally certain that changes in organs, arising from external causes, may, and often do, produce modifications of the natural instincts, and render them hereditary in the race or species. But the fact still remains that there are numerous and extraordinary instincts which can in no wise be interpreted by organisation, though this is used for their fulfilment. The structural peculiarities of certain birds and fishes are necessary for their periodical migrations by land and sea. But the act of migration itself is the marvel; determinate as to place, time, and method—guided by no sense or reason we can define or conceive, yet fulfilling purposes with a certitude no reason could attain. Instincts prospective in their nature, as we admire them in the nests of birds—the sexual instincts and those connected with food, appetencies essential to life on the earth—the instincts of the bee-hive and ant-hill, which sacrifice the interests of the individual creature to those of the community—these and endless others come under the same head, as acts not due to reason, nor to any apparent structure.

We are still then confronted by the profound problem of a power acting in and through the complex fabric of animal life, of which neither our senses nor reason can render any account. In connecting it with the larger problem of the generation of life from life, we suggest an absolute and necessary relation, but do not solve the mystery. Science is zealously working in this direction, but as we believe, with an insuperable barrier at some point in its progress. We have spoken of a *border-land* between reason and instinct, where these two faculties variously and curiously commingle. It is here if anywhere, that we may hope to obtain some enlargement and clearer definition of our knowledge. Little is gained by multiplying examples of individual instincts, wonderful though these be, and meriting a better clasification than any yet adopted. What we need and desire is some great work founded on actual research, but treating the subject also as one of general philosophy, and holding in view certain definite questions for solution. Such are, the relation as to priority or casuality between the organisation and the particular instincts of species—all that concerns the hereditary nature of instincts—their dependence on habits and the casual conditions of life, including here the separation of species into races—and the influence upon them of Reason and the Will. These questions, were there no others, present ample material for future inquiry. Time, as well as combined and zealous research, will be needed even for their partial solution. But we confidently hope for some such work as that we have indicated; giving us closer approach to that mysterious part of life, where mental and material functions, intelligence and instincts, are linked together, either in co-operation or conflict. One result of all research must be deemed certain—the recognition of an Almighty Power, far above our comprehension in its nature and attributes; but ruling throughout all creation, living and lifeless, by laws and forces which we may partially, but never can wholly understand. 'I had rather believe,' said Lord Bacon, 'all the fables in the Legend, and the Talmud, and the Alcoran, than that this universal frame is without a mind.' To which Archbishop Whately adds, in his note upon the passage:—'That the possession of power, strictly so called, by physical causes, is not conceivable, or their capacity to maintain, any more than to produce at first, the system of the Universe, whose combined existence, as well as its origin, seems to depend on the continued operations of the great Creator.'

Those who are familiar with the doctrine of Mr. Darwin as to the Origin of Species—a doctrine now so largely, though not unanimously, accepted in the scientific world—will at once see how closely it is interwoven in every part with the topics we have been discussing. The questions of origin, organisation, modes of reproduction and instincts, enter integrally and necessarily into any theory of which Life is the subject. The naturalist is amply justified in seeking all possible evidence as to the progressive evolution of genera and species, and their distribution over the earth; and here Mr. Darwin has rendered services to science which will be fully recognised hereafter, whatever exception be taken to some of the views he has espoused. But these fundamental ques-

tions still remain, and our knowledge can never be complete as long as they are unresolved.

In the foregoing article, which we must here close, we have sought to make our readers acquainted with the principal questions and objects of research on which physical science is at this time engaged; necessarily, however, omitting many which might well merit notice. At no period has there been more of grandeur in these objects, or more of genius directed to their investigation. If sometimes this genius rushes beyond human bounds into the inscrutable mysteries of the universe, it is speedily checked by the sterner demand now made for evidence of fact and truth. While even these forays, as they may be called, of speculative science (in one of which we have ourselves partially indulged), though failing to attain their purpose, are not unfrequently useful in disclosing new paths and objects of pursuit, collateral to those thus vainly attempted.

Art. VII.—1. *Reports on Consular Establishments in China in* 1869. Presented to Parliament by Command of Her Majesty. 1870.

2. *Reports on Trade at the Treaty Ports in China for the year* 1869. Published by order of the Inspector-General of Customs. Shanghae: Printed at the Customs Press.

3. *Journeys in North China, Manchuria, and Eastern Mongolia, with some Account of Corea.* By the Rev. Alexander Williamson, Agent of the National Bible Society of Scotland. 2 vols. London: 1870.

4. *The Tientsin Massacre; the Causes of the late Disturbances in China; and how to secure a Permanent Peace.* By George Thin, M.D.

The 'Far Cathay' of Kublai Khan—of which Thomson sang and Coleridge dreamed—has been brought comparatively near to us by steam and telegraphy. From Kiachta on the border of Western Mongolia to London a message can now be sent in less than twenty-four hours. Even the transit of travellers from London or Paris to Pekin, which in the days of Marco Paolo extended over years of peril and uncertainty, may now be securely done in six or eight weeks, either by land or sea. So vast a change in the relations of time and distance could not fail to effect a corresponding change in the relations of China with the rest of the world.

But a few centuries ago, sealed to the outer world, inaccessible by sea and isolated on the land side by great deserts and inhospitable steppes, peopled only by scattered tribes of Nomade Tartars and Mongols, her people might rejoice in their isolation and security. They held sway over a vast territory and undisputed supremacy far beyond their borders. The 'Middle Kingdom' and the 'Flowery Land,' as they pleased to designate their country, was to them the Centre of the Universe. It is true they were from time to time, though at long intervals, exposed to furious raids from the wild Tartars beyond their frontiers. But they either beat them back, or absorbed and speedily assimilated them by their higher civilisation. By successive steps the whole of Eastern Asia fell under their sway, and wide as their empire stretched—from Samarcand and Central Asia in the West to Corea in the farthest East—they asserted a scarcely contested superiority over all peoples and tribes with whom they came in contact. The Japanese came from the isles beyond their coasts to borrow a written language, a religion, and a philosophy, and in doing so offered the sincerest homage.

It is needful to recall these great facts, for they serve to explain—and can alone explain—much that is now passing in our day, when we have forced our intercourse upon a people who once had just right to plume themselves on being heirs to an undisputed supremacy. The Chinese themselves, well versed in the actual and legendary history of their country, are familiarly acquainted with them. These traditions are the source of those pretensions which we are too apt to despise as the mere caprice of barbarism, or the offspring of ignorance, but they are facts and realities, not to be put aside by superior intelligence, or blotted out by treaties, though countersigned, at the dictation of a foreign Power, with the vermilion pencil.

No more mischievous error can well be conceived than to suppose the contrary, and nothing has more certainly contributed to our present difficulties. If we look back to the period above referred to, and fully apprehend what the Chinese nation was then absolutely in its civilisation, and comparatively as regards all the rest of Asia;—and then look upon the change which has swept over them like a flood in these latter days, placing them as low relatively to the invading peoples of the West as they once stood high above all others of whom they had any knowledge, we shall be better prepared to enter into their present feelings, and understand with what mingled fear and hate they regard us in our pride of superiority and

habit of self-assertion. The millions 'who are saturated with a knowledge of the history and philosophy of their country' are not merely the holders of office, but all its educated men,—and these are they who form and guide the public opinion of the less cultivated and the mass. They still regard all Western nations as 'outer Barbarians.' Much as the Byzantines of the Lower Empire regarded their Northern recruits, Goths and Visigoths, whom they subsidized to fight their battles—great in war, but not the less Barbarians.

Are we asked to what end this study of the past? The answer has been already indicated—that we may understand the present, and what lies before us in the future. If merchants and missionaries in China had devoted a little more of their attention to the study of the people among whom their future lot was cast for good or evil, they would have made much more satisfactory progress in overcoming the obstacles in their path—each in their separate calling. The true life of nations as of individuals is written in sympathetic ink, and is only to be read between the lines which record outward events; and then only by those who have the key. But that key is never obtained except by sympathy with the objects of our study. Until we gain this we can neither influence nor govern. Superior strength may coerce, and some coarse material results may be obtained by the exercise of brute force. But neither the heart nor the intellect of individuals or nations can be reached by such means,—and it is only by the aid of these that any real dominion can be secured. Therefore it is essential, in our opinion, that we should begin by knowing the Chinese as they are and have been, and not as we would have them or imagine that they might be made.

What China was when Kublai Khan ruled, and how the Chinese regarded themselves and the only neighbours within their ken, has been shown. Let us measure, if we can, the extent of the change that these later times have brought to this one nation, and form some estimate of the difficulty of their position. They have had, first, to realise the fact that they were no longer lords supreme over the whole earth, as their fathers firmly believed, but members of one great family of nations—many existing beyond the 'four seas,' of whose existence they had hitherto been all but unconscious. And, secondly, a still more momentous truth to them, that England and France and other great Western Powers are all nearer neighbours to China than Mongol or Tartar had ever been. Even Russia, with its wide conterminous frontier and half-Tartar affinities of race, is practically further removed from them on the land side than the maritime States now are by sea. Less time is required for the transport of hostile armies—the one great practical test of national proximity, which is daily becoming of greater significance and moment to all. Can we wonder if half a century has *not* sufficed to impress these two great facts, with all their consequences, on the Chinese mind? or that they are very far at this day from realising to the full extent their import and bearing? Whether this be matter of surprise or not, it is a certainty, and one which cannot be too clearly kept in view, for its influence upon the progress of affairs in China can hardly be over-estimated.

Of course there are many, both residents in China and others with more excuse for their blindness, who do not perceive this chain of cause and effect. It is easy to throw an air of absurdity over the habits of thought or modes of expression of an Asiatic race with whom we have so little in common, and thence jump to the conclusion that they have no significance, and are unworthy of attention. A claim to be the Brother of the Sun and Moon, or to have universal dominion, put with all the extravagance of Oriental diction, is very open to ridicule. But it is a mistake to imagine that because the hyperbolic phraseology is absurd, the thing it represents has neither force nor meaning. After all, is even this pretension, or this assumption of divine descent and universal supremacy, so very absurd as to be incomprehensible to the European mind, and without any parallel in Western annals or modern history? Mr. Carlyle reminds us in his latest utterances that the device of a French *écu* of 1687, in the reign of the 'Grand Monarque,' is 'Excelsus super omnes gentes Dominus.' Is this less irrational, with some little allowance for the differences between Oriental and European forms of expression, than the Emperor of China's pretension to supremacy and universal dominion? We need not go so far back therefore as Alexander of Macedon's care to prove his descent from Jove, or a Roman emperor decreeing divine honours to be paid to his image, for a parallel to moderate our emphasis in scoffing at the 'Celestial Empire' and its Rulers for similar claims.

That the Emperor of China is but mortal, and can claim no superiority over the other sovereigns with whom he has been compelled to make treaties;—that all nations have equal rights, and that a more or less complete reciprocity must rule all intercourse between foreign States and their rulers, should be truths hard of digestion to the boy emperor

and his Manchu or Chinese Court, is no more than we should expect. The course of time has not often brought about a stranger revolution in the destiny of nations. China, which gave in long past ages the three great discoveries to Europe by which the nations of the West have mainly achieved their superiority—the Compass, Printing, and Gunpowder—and also bestowed upon us three of the greatest luxuries, silk, porcelain, and tea—the first when Teuton and Celt and Gaul were unkempt savages, chiefly distinguished by their paint,—must now receive the law from the descendants of these same Teutons and Celts. We may well look with some patience and forbearance on the wry faces they make under the process. That kind of sympathetic effort to enter into their feelings which we have recommended does not imply our assent to their resistance. But it does suggest consideration, and a desire to lighten and mitigate that which is inevitable.

Leaving considerations of general import, let us now turn our attention to the one great end of our intercourse with China, and the sole motive for any political relations with its rulers—our Commerce. An article appeared not long ago in one of the leading newspapers headed 'On the Importance of Barbarism,' and the writer began by declaring it to be doubtful 'whether British statesmen quite understood the importance to this country of three barbarous or semi-barbarous countries in the extreme East, and it is quite certain that the English public does not understand it at all. From India, China, and Japan we import nothing that we eat or drink except a luxury, and a grain which is something more or less than a luxury—rice; yet the stoppage of our mercantile connexion with these countries would inevitably carry with it the starvation of large numbers of the English labouring classes. If the Indian and the Chinese markets were shut against us, our workmen would have to starve or to pinch as infallibly as if some convulsion of nature suddenly cut us off from the vast corn-lands of the Mississippi valley or of Southern Russia. It is this consideration which gives such extreme importance to the difficulties between natives and foreigners in the Chinese coast towns. A vast deal more is at stake than the interests of a comparatively small number of merchants bent on making a fortune rapidly and not too scrupulous about the means. Are we, or are we not, in danger of being pushed from the Chinese market by a population so enormous that if they pleased they could, so to speak, squeeze us out of their country by putting their shoulders together?'

We do not think that the English public is altogether ignorant of the actual importance of China, Japan, and India to our commercial prosperity. They may underrate it, and fail to understand in what way the relations with all three are essential as connecting and necessary links. But so long as there is an almost total ignorance of the real causes of danger and difficulty in the actual conditions of European intercourse with China, it is clear that a mere sense of danger, and the importance of the interests at stake, will not much avail. Of those who have spent the best years of life in China, whether in pursuit of wealth, or as representatives of Great Britain and other Foreign Powers in the various grades of the consular and diplomatic service, it is hard to believe that there are not some who have made these conditions an object of serious study. Judging from the papers laid before Parliament—and their contents must form but a small part of the Correspondence and data of every kind annually received by Government from its officers in China and Japan—it is evident that a great mass of well-digested information exists, only waiting to be analysed and reproduced in a more readable form than blue books usually supply. Some part of this work we hope to accomplish in the following pages.

In a 'Report of the Delegates of the Shanghai General Chambers of Commerce,' speaking of the conditions of commercial progress in China, and of the direct trade from Great Britain to China, the writer says, that this is a branch of trade that, even taken alone, 'must always be of peculiar importance to a country like Great Britain, which can only feed its population by finding markets in foreign countries for the products of their working power.' To this he adds, as scarcely less important or significant, the corollary that,—

> 'Putting India on one side, the country whose direct commercial stake in China assumes the next rank of importance is indirectly as deeply interested in the progress of British trade as the English people themselves. The United States receive a larger sum for the raw material which they supply to England than the English do for their labour in working it up and shipping it to China; and the commercial interest of these two nations in China cannot therefore be separated.'

Following out the same line of thought, this Report goes on to show how directly the United States are interested in the prosperity of our trade in foreign goods—the net profit remaining on England not being approximately more than one-third of the ultimate cost of the goods as delivered at foreign markets.

'Whence it appears that out of the 7,000,000*l.* or 8,000,000*l.* worth of goods now annually exported from Great Britain to China, the sum of 2,500,000*l.* is retained in England to pay spinners, weavers, packers, shippers, carriers, and numerous other classes of persons incidentally employed about the making up and exporting of the goods. Of the 5,000,000*l.* that remains, the larger proportion goes to other countries, chiefly the United States, in payment for raw cotton."

The exact nature and amount of our direct trade with China from and to the United Kingdom, and the subsidiary but very important commerce existing between India and China on British account, are all easily determined from official sources, and are contained in the following table :—

Statement showing the Value of the Direct Import and Export Trade with China of Great Britain and all her Dependencies, and its relation to that of all other countries during the Year 1868.

Countries.	Imported from.	Exported to.	Total.
	£	£	£
Great Britain	7,343,653	12,612,251	19,955,904
Hong Kong	4,701,806	2,691,087	7,392,893
India	7,829,426	79,359	7,908,785
Australia	220,415	854,891	1,075,306
Singapore and Straits	223,164	88,109	311,273
British Channel	..	190,224	190,224
Canada	11	71,101	71,112
New Zealand	..	30,870	30,870
Cape of Good Hope	..	13,237	13,237
Total British goods	20,318,475	16,631,129	36,949,604
All other countries	1,677,116	4,103,294	5,780,410
Total	21,995,591	20,734,423	42,730,014
Deducting re-exports*	659,226	..	659,226
Total foreign trade with China	21,336,365	20,734,423	42,070,788

* Chiefly to Japan.

A despatch from Sir R. Alcock states that of the total foreign shipping employed more than half was under the British flag, 7,165 vessels with a tonnage of 3,332,092 tons out of a total of 13,504 vessels with a tonnage of 6,385,771.*

* The proportion to the total shipping employed by the United Kingdom in its foreign trade stands thus, in round numbers,—one-third of ships, one-eighth of tonnage. The steady increase of British trade with China is further illustrated by the returns of the Imperial Maritime Customs, which were reprinted in this country and presented to Parliament last year, from which it will be seen that the import of grey shirtings and T-cloths (articles of purely British manufacture) had risen respectively from 2,398,410 pieces and 730,604 pieces in 1867, to 4,768,151 pieces and 2,049,521 pieces in 1868.

'Here, then, we have the net results of our trade with China up to the end of 1868, and although the official returns of 1869 are not yet published, enough is known to enable us to conclude that there is no material alteration. The trade of Great Britain and its Dependencies with China is both a large, and, taken as a whole, an increasing trade. It employs a vast capital, and gives profitable employment to 7,165 ships under the British flag, with a tonnage of 3,332,092 tons, a proportion which would still further increase, it appears, if one or more ports of registry in China for British ships, and a law of partnership with limited liability, were provided by the legislature. The want of these, it is reported, throws nearly the whole of the steamer traffic and carrying trade on the Yangtsze into the hands of foreigners, where it is conducted under the American flag chiefly, to our loss and injury.

In the indirect distribution of foreign goods constituting a portion of the coasting trade, and chiefly carried on in steamers, we are told, 'all nationalities are engaged, but chiefly Americans and British; and the goods are no longer distinguished as British and those of other nationalities.' It is therefore impossible to ascertain what the the exact proportions of British goods, or strictly British trade, may be in this coasting trade; just as from the want of all returns in the free port of Hong Kong, it is impossible to separate with any approach to accuracy the Foreign from the British imports. In these particulars we must be content with approximate estimates.

In order to complete our view of the actual importance of this trade with China, we must take into account the amount of British and Indian revenue derived from it, and the proportion both the trade and the contribution to revenue bears to the whole commerce and revenue of the British Empire. By the last year's Revenue Returns, the duty levied on tea at the rate of 6*d.* per lb. produces a contribution of 2,643,226*l.* towards the whole revenue of 21,529,000*l.* raised by the Customs. Until the year 1866, when the duty was reduced from 1*s.* to 6*d.*, the revenue was more than double this amount. By the Indian Returns, we find the revenue from opium, the great bulk of which is exported for Chinese consumption, estimated at an average of from six to seven millions sterling net. The Malwa opium from the territories of the native princes of Central India, constituting about one-half of

the whole quantity exported, and averaging therefore some 40,000 chests, pays 600 rupees a chest to the Indian Government, and has paid as much as 700 at no distant period.

The proportion our trade in British manufactured goods to China bears to our commerce with other countries, is insignificant if compared with that which we carry on with the United States, France, Germany, or India. Out of an export of some 100,000,000*l.* manufactured goods, China does not yet take 7,000,000*l.* Sir Rutherford Alcock, in the despatch forwarding these returns, remarks, however, that it would be a mistake to estimate the value of the trade to the British Empire by limiting the view to such figures, or to accept the existing amount as a true indication of its prospective value. He says:—

'It is a trade with a constant tendency to increase, and as the Delegates of the Chamber of Commerce clearly show, at the average annual rate of 3,500,000*l.* in British manufactured goods alone. . . . As a market for the produce of our looms and manufacturing industry generally, China ranks very low. Its people are but poor consumers comparatively; and it may be supposed that we could very well dispense with their aid. But under other auspices and more favourable conditions, neither of which seem altogether hopeless, the Chinese Empire might within the next twenty years offer a vast field of commercial activity, and would soon lead to a consumption of manufactured goods ten times as large as any at present existing. We cannot wisely confine our views therefore to the present, and ought not, by a short-sighted economy or any mistaken policy, to risk all that is prospective.'

These arguments well deserve the serious consideration of all who take interest in our commerce with other countries and the influence of foreign countries, and the markets they supply, on our industrial centres with a capacity for production, which seems practically unlimited.

We have now all the data before us, and the results may be very briefly summed up. The export trade from China to the United Kingdom chiefly consists of tea and silk, and the first alone contributes one-seventh of our customs revenue. Silk, although it does not contribute to the revenue, is a most important element of our prosperity. Take away the 50,000 bales received from China, and keeping in view the constant liability to disease in the French and Italian worms, and the failure of crops in Europe, such a loss would go far to ruin a great industry. It has been shown by Sir Rutherford Alcock and the consuls and merchants in communication with him on the subject, that the trade in cottons and woollens from our looms is susceptible of an almost unlimited extension. Nothing more is required to this end than a better understanding with the Chinese Government in order to secure certain administrative reforms to facilitate the transit of foreign goods in the interior. It might have been better if the merchants in their memorials had limited their demands and concentrated all their efforts upon this one great desideratum. Increased facilities of transport and communication, such as steam and telegraphic lines might supply, appear to be the chief agencies required for the extension of trade. Even these ought not to be impossible of attainment if obstacles of our own creation—that is of foreign parentage—were removed. But time and patience both will be necessary. Such great innovations involve many considerations economical and political as well as international. Difficulties there may also be, no doubt, arising from the indisposition of the Chinese Government as at present constituted to commit themselves to a course of innovation which would create a violent opposition in the country and might very easily, if it did not lead to a revolution, involve the destruction of the Ministers proposing it in the Great Council. The revision of the Treaty of Tien-tsin, it was hoped, might have led the way to important advances in this direction, but the circumstances were anything but propitious, and for a time at least the opportunity has been lost. What the difficulties are in the way of successful negotiations, and to what causes may rightly be attributed not only these but the dangers which continually menace a rupture of friendly relations, and render life and property insecure even at the treaty ports, are all matters of more immediate interest and importance; and to these we will now turn, in the hope of throwing some light on a subject which hitherto has been much obscured by conflicting opinions.

The foregoing statistics furnish conclusive evidence that the trade with China is both large and increasing. It helps, moreover, to maintain steam communication throughout the East, as has been shown, by the lucrative freights which attend it, and materially assists to place eastern commerce in British hands. In the facility and cheapness with which English capital is worked, is probably to be found one of the principal causes which make the British Isles the largest store-house in the world, and an important element of those conditions as regards the purchase of produce in China, is the profit in exchanges which the intermediate traffic between India and China creates. If the opium trade were to cease, we should have to provide 11,000,000*l.*

to pay in part for tea and silk exported from China, not, as now, by means of a British product forwarded in national vessels, but by means of bullion purchased in the American States, and transmitted across the Pacific. An important link which binds Eastern trade to the United Kingdom would be broken, and another would be forged in the chain which is 'soon firmly to connect China with the United States.' Although this expression was used by a Shanghai merchant in defence of the opium trade, it is not less applicable to the trade generally and its bearing on Imperial interests. The encouragement and protection of such a trade therefore cannot be otherwise than a matter of national interest. Merely local or temporary interests must give way to those which are imperial and permanent; and it must be the policy of the British Government carefully to guard the latter, and prevent its being either overridden or prejudiced by the former. In this opinion we are glad to be supported by the Macclesfield Chamber of Commerce. In their answer to the Earl of Clarendon respecting the recent Convention, their secretary is directed to say, 'Sir R. Alcock in his memorandum narrows his views to the comparatively unimportant limits of a small body of European merchants located at the open ports in China, while the Chamber heartily concurs in the opinion of leading modern statesmen and diplomatists, who declare that all commercial treaties and conventions should be viewed from a stand-point as wide as possible.' The accuracy of the statement as regards Sir R. Alcock's views does not concern us here. Many of his despatches, however, refute the assumption that he has ever held such 'narrow views,' and advocate a directly opposite course. We merely quote the passage as indicating the scope of any inquiry into the conditions affecting our relations and position in China, and the spirit in which these should be examined. We congratulate the Chamber on the breadth and liberality of their principles, and in perfect accordance with them we propose to devote the remainder of this article to a general survey of the conditions essential to any mutually beneficial intercourse with the Chinese, *constituted as the Empire is, and the nation being what it is*, and not what we could wish it to be, or what the 'small body of European merchants located at the open ports in China' may think we might make it with a strong hand. Trade, its hindrances, and the conditions of commercial progress in China, come first in order of importance, because for the promotion and protection of commerce alone we have been led to make treaties with China. The difficulties in the way of any material improvement in the conditions of our intercourse, and the nature and causes of the dangers so incessantly menacing our position and the interests of our commerce, form a part of the same subject.

Of trade and its hindrances, thanks to the attempted revision of the Treaty of Tien-tsin, the public has heard from the merchants themselves who are most interested in the commerce of the East, and from Ministers and Consuls in China, enough to remove all ignorance of the main facts. Much has been made of these hindrances in the 'Memorials' of the several mercantile communities and Chambers of Commerce located in China. They are numerous, no doubt, and some at least might be removed at once, if the Chinese Government were more favourably disposed and could be induced to take the necessary steps. But others are, to all appearance, irremediable while the country remains in its present state—torn by insurrections, miserably misgoverned, and with an administration so thoroughly corrupt and incapable that nothing good can be hoped from it. What these hindrances are we have seen nowhere more clearly stated than in the Report of the Delegates of the Chamber of Commerce who went up the Yangtze to explore the upper waters of that river with an expedition set on foot by her Majesty's Minister. And it is the more acceptable as, coming from the merchants, we are sure it embodies opinions and views which the local communities will not dispute.

In the section headed '*Hindrances to Trade*' the Delegates say—

> 'There are certain obvious hindrances to the development of this trade, mostly tending to enhance the cost of goods, the removal of which, if practicable, would be worthy of the efforts of the Chamber. These are the high rates of freight prevailing between Hankow and Chungking, the high rates of inland duty; also the length of time required, and the difficulties of the route.'

Although this has reference more particularly to the trade of the district watered by the Upper Yangtze, the same broad view is repeated without this limitation in another section headed 'Conditions of Development,' &c.:—

> 'Much stress has justly been laid on the obstructions opposed to trade by the exactions of the mandarins. But that is only one obstacle to the circulation of foreign goods in China. A greater one is the passive and unconscious resistance of a people of stagnant ideas, of very limited enterprise, and possessing only primitive means of intercommunication. They will not advance towards foreigners to seek their

trade, until foreigners have pressed it on them. They will never themselves improve their means of transport, nor develop new wants like progressive nations. Foreigners must provide the means of bringing different parts of the empire into close communication, and they must also to a certain extent create the wants which they wish to supply by offering their goods and "introducing" them to their customers.'

In a previous passage the same writers show that if they take this moderate and rational view of the amount of injury done to trade by the irregularities and exactions of the provincial authorities and the farmers of inland taxes, it is not from any lukewarmness or apathy. They are, on the contrary, vigorous advocates of progress. 'Commerce,' they say, 'everywhere requires to be energetically "pushed" to be successful; and this is peculiarly true of the trade in foreign manufactures in China.' They explain further what they mean by being 'pushed;' viz.:—

'When new ports are opened new depôts are established, whence new markets can be easily reached, and new circles of customers made acquainted with foreign commodities. When swift steamers are placed on great water routes the native merchants can, and do make as many voyages, and transact as much business, in a year as they formerly did in a decade. This stimulates the flow of foreign manufactures to the consuming localities in the interior. Though the Chinese are of themselves incapable of originating any such improvement, they are very ready to avail themselves of it when provided for them. But the spirit of enterprise is all on the side of foreigners, and the onus of every forward movement in commerce must necessarily rest on them.'

In this case, as in so many others, it is only when they come to deal with the practical question of how these various reforms and innovations are to be effected, that they fall into vague generalities which add nothing to our knowledge and are quite valueless in all other respects.

'How to extend beneficent, in other words commercial, measures in China without the cumbrous and wholly unnecessary intervention of war with the despotic class, is a problem which need not baffle the philanthropic statesmen of the nineteenth century, if their philanthropy be guided by an intelligent interpretation of facts.'

The problem nevertheless does seem to baffle a great many statesmen and successive Governments in the nineteenth century. Among them all, one would think, if it were so easy of solution as the Delegates assume, some might have been found capable of 'an intelligent interpretation of facts.' In default of this we naturally look to the more capable merchants to give their country the benefit of such interpretation to guide our statesmen—philanthropic or otherwise. We look in vain, however, for such invaluable aid. We know, indeed, that while in words they deprecate 'the cumbrous intervention of war with the despotic—that is, the ruling class of China,' they constantly advocate a policy of interference and measures of coercion—which may or may not mean war, according as this same 'despotic class' may be disposed to resist such measures, and refuse submission unless compelled by superior force. There is, indeed, a very general feeling among the mercantile bodies located in China that the Chinese can be forced to do anything Foreign Powers may with sufficient determination demand, without provoking such resistance as leads to war. And this is no doubt true, in a certain degree. But even force has its limits when applied to a government such as China at present possesses; or the whole may either collapse or be crushed by the process.

'Superiority in arms,' as was observed in an article on China which appeared some years ago in this Review, 'and the power to impose by superior force a treaty or compact upon a nation, becomes of little use without a central authority—a government with which to treat, and one capable of binding the nation by its acts. The worst danger with which European Powers have been menaced of late years, both in China and Japan, has been that of anarchy in these countries—a process of disorganisation and disintegration pushed to an extent that would deprive treaty Powers of all guarantee for the security of their subjects, or means of holding one central authority responsible for serious infractions of treaties.'

This which was true then is equally so now, nor is it in the interest of trade, and still less of merchants located in China, that the fact should be overlooked. The main grievance of the merchants, and the only one that has any broad foundation, lies in irregular and excessive inland taxation, which for goods in transit it was attempted to limit to a rate of $2\frac{1}{2}$ per cent. *ad valorem*, or half the import and export dues. We say attempted. For Sir Henry Pottinger, in the Treaty of Nanking, tried and failed to effect this end. Lord Elgin, who followed in 1858 with the Treaty of Tien-tsin, aided by all the practical knowledge and collective wisdom of the mercantile bodies, failed equally. We have the authority of the Chamber of Commerce of Shanghai for the fact. In their Memorial of December 1869, while speaking greatly in praise of the Treaty of Tien-tsin they say, 'Where these

arrangements have conspicuously failed has been in the question of inland dues.' According to the same authority, Sir Rutherford Alcock, in the Convention entered into before he left Peking, also failed; thus adding a third unsuccessful attempt to deal with this question of Inland dues. It seems clear that all the negotiations have failed, as all in future will likewise fail, unless the leading conditions be changed, from a very obvious cause; the Ministers already cited have attempted what is plainly an impossibility—to alter the whole fiscal system of a vast Eastern empire for the benefit of foreigners, and their trade; and to make exemptions even in Chinese produce in transit from one province to another for Chinese consumption, in favour of the foreign owner to the prejudice of the native merchant and his trade. If it were more just and equitable, it would be not the less impolitic and impracticable. Impolitic, because the distinction between the native and the foreign dealer is invidious; impracticable, because all the interests, prejudices, and established customs of both officials and traders are opposed to success;—and lastly because the exact fulfilment of the stipulations made in the treaties would require honesty and order and regularity where there is nothing but corruption, irregularity, and peculation. We hear a good deal from the merchants in China of the solemn obligations of treaties and their indefeasible right to exact rigorous execution in letter and spirit of all their stipulations—even in those like the above which are demonstrably inapplicable to the actual condition of things and more or less impracticable. If existing treaties had not been entirely framed by foreigners very much in the dark as to Chinese administration, capabilities, and requirements,—and imposed by force upon the nation as the price of peace, it would still be absurd to hold such language. The Chinese, without putting forward the plea lately advanced by a great Western State that treaties imposed by force carry a doubtful obligatory power, if the terms are injurious,—may boldly say that no nation can be held bound to perform impossibilities, and that we require of them what is beyond their power to secure. If a remedy is to be found for the well-ascertained failures and abuses of administration which exist in China, it must be sought in a larger and more reasonable spirit, having some regard to possibilities as well as to rights. Something of the same kind is to be said of imperious demands emanating from the merchants for the instant adoption of railroads and telegraphy—for the working of mines by foreign skill and machinery—for inland residence, and a right of acquiring real property and houses in the interior, with all the privileges of extra-territoriality attaching to them and their foreign owners—for steam navigation through the inland waters, &c.; all calculated to afford, it may be, great facilities for trade, and very much to the benefit of Chinese interests. But suppose the Chinese Rulers do not see the opportunity of such sweeping changes or the necessity for foreign innovations,—doubt their expediency, or deny the possibility of adopting any of them, with due regard for the stability of government and the maintenance of order?—This is in effect what they do affirm. Are we to deny the Chinese any voice in matters such as these affecting the welfare and destiny, it may be, of the whole nation, three or four hundred millions in number? Or will the British nation feel justified in going to war for the purpose of compelling an Eastern race to be civilised after our Western methods—and forthwith to lay down railroads and telegraphic lines, that our merchants may find readier means of access and transport for goods to their customers in the interior? If not, we cannot see the practical end to be served by all the angry declamation we hear about a 'mild diplomacy,' and the necessity of a 'vigorous policy,' assuming our right to impose such conditions upon the Chinese. It may be that the opposition to all these modern innovations comes, as alleged by the merchants, from the mandarins exclusively, the official and educated classes comprised in the category of literati and gentry as well as mandarins. We believe it does. There is good reason to conclude that were these classes otherwise disposed than they are—less ignorant of the value and claims of Western civilisation, less bigoted in their admiration for Confucius and the wisdom of antediluvian ancestors, and less hostile in spirit to all that is foreign—from missionaries to opium—from treaty powers to treaty subjects and their rights as well as their pretensions,—railroads and telegraphic lines might be laid down to-morrow, for any opposition that would be offered spontaneously by the people. What are we to conclude from this? Are we to thrust aside the whole of the educated and ruling classes and leave the government of the country to take care of itself, while we proceed to lay down our rails and telegraphic lines? Or shall we see what can be done in the way of intimidation and coercion to compel the 'obstructive mandarins' with their allies, the literati and gentry, the only recognised authorities in China, to execute the work themselves and carry out our projects? We have already

pointed out one great obstacle to the success of any such schemes in the possible dissolution of the only visible embodiment of a central Power or Government and the consequent anarchy and disintegration. We might succeed in the first, if prepared to attempt the subjugation of China, and its partition among Western Powers. We should certainly fail in the second. And it is very certain no British Government will ever feel justified in undertaking either the one or the other, even if the nation were convinced that so only could they save their trade with China from extinction. It is idle to waste time therefore in going over all the irrational proposals emanating from the open ports in China for the compression or expansion of China into a mould that would meet their views or further their interests.

Time will be better employed in considering within what limits, and by what means, material progress may be made. More especially does it behove us to ascertain without more delay the true nature and source of the dangers so constantly reappearing and menacing our position, and with it all our interests in China. To many, we doubt not, what we are now going to say may seem paradoxical and utterly improbable as a matter of fact. Nevertheless, we say it with entire conviction of its truth. The main obstacles to any material improvement in China come from without, and not from within. It is the foreigner, not the native, who creates the chief difficulty. And it is the foreign element, equally, that makes the danger of all such innovations as are most essential to progress. We say the foreigner, and he is not of one class or nation. It will be found that merchants, missionaries, and governments all supply their quotas, and all bring their contributions. They all help to fill up the witches' cauldron, the overflow of which is to be seen in such murderous outrages as Tien-tsin so lately witnessed. If we would understand in what direction to look for a cure for such evils, we must first ascertain whence they come. What are the true causes of such hostile feeling and active hatred between the two races? We may pass over all minor distinctions of nationality within the larger divisions of Asiatic and European. The Chinese very seldom trouble themselves to make any distinction, and for once we may with advantage follow their example.

Who has not felt something of antipathy or distrust at the first contact with a stranger? a half-conscious feeling for which no adequate cause can be assigned? This exactly describes the state of Chinese feeling with respect to all of foreign race. Mere ignorance and prejudice will account for much. Traditions of hatred or wrong and injustice also have their influence. As may rival interests and conflicting opinions in matters great or small;—a dogma or a creed will answer the end very fully. But there is something else behind. There is a real antagonism between the two races, and it is difficult to resist the conviction that it is in part instinctive. The mass of the population is further worked upon by superstition—the memory of past wars—the sinister suggestions and promptings of the ruling classes—their literati and gentry. The mandarins, as a class, have a perfectly unmistakeable, and for the most part unqualified hatred of the whole foreign race. Many, no doubt, if pressed, would give more or less plausible reasons for it. We are aggressive and domineering, given to command and prone to use force to accomplish our ends, or secure attention to our behests. We are illiterate and barbarous. We never read Confucius and know nothing of the 'Rites'—are totally and lamentably wanting in any conception of '*Taouli*'—of the 'eternal verities' and the fitness of things, as Carlyle would interpret it. We eat our food with murderous weapons, and ridiculously fail in the use of chopsticks. We begin our books at the wrong end, and write equally perversely and ignorantly from left to right and across the page, instead of from top to bottom. We are violent in temper and carry the same violence into all our exercises and amusements. We dance promiscuously and in public with our women, who are only half-dressed, according to Chinese notions of modesty. In fine, there is no end to our violations of decorum and ignorance of right. But to the mandarins—the officials high and low—we are the incarnation of all abominations. We are subversive and revolutionary. Our trade and our goods are a perpetual source of trouble and danger to them. Where these penetrate, ideas follow, and these are all destructive and odious. We teach disrespect to the mandarin authority, have no respect for the Emperor or the Dragon, and preach sedition. Our missionaries go about like wolves in sheep's clothing. They steal the hearts of the children for philters and foul rites of necromancy. They turn the people away from all lawful authorities, and get possession of their pagodas. They entirely upset the established order of things, threatening the downfall of the whole Empire. 'Shall we let them into our inner land with new inventions, their rails and their wires, violating the Fungshui, outraging the spirits of air and earth and

water, deranging all the geomantic influences of our hills and valleys, insulting the manes of our ancestors,—and involve ourselves, our children, and our country in a common ruin?' Behind all these reasons,—and ten thousand more which they can give when their tongues are loosened, there lies, we are satisfied, an instinct of self-preservation which may mislead them to their peril, but is not the less operative. Many *feel* there is danger, to them and to theirs,—to their class as a governing body, wherever the foreigner makes good his footing, or is allowed to set himself down. And for this to change, you must change both the Chinaman and the Chinese mandarin into something quite different from what they are.

When we read then, as we have often done lately, all the conflicting opinions of newspapers and their correspondents as to the existence of any hatred or hostile feeling to the foreigner among the population—any organised plans for his expulsion from the country, or his extermination—it seems to us the truth is not far to seek. With such a fund of instinctive dislike in all classes, and of more active elements of hostility constantly working in the breasts of the whole mandarin and educated class—intimately connected and blended as these are by association, community of feelings, interests, and all the other ties which unite classes moving in the same circle—is it not plain, that so much 'latent heat' as they are calculated to generate, cannot fail to be a perennial source of danger? With no love for us anywhere, and all these combustible materials ever ready for a conflagration, a spark is often enough to produce an explosion. A rumour of kidnapping—a placard denouncing the missionaries as stealers of children and practisers of the black art—anything will do —and these are all things actually believed in by great numbers even of the educated. The danger is always there; and the experience of the past should not be lost upon us. In no one instance that we can remember have the local authorities ever come to the rescue of foreigners when their lives or their property were objects of attack. Never have they taken any effective steps of prevention, though often affecting to do so by insufficient and delusive proceedings. In most instances there has been ample warning. At Yangchow, Taiwan, and Swatow, it is always the same story. At Tien-tsin, where the culminating horror was perpetrated, there was an Imperial Commissioner of the Northern Ports resident—a high officer, with a dockyard and arsenal under his charge, and a large force of disciplined troops. There were local authorities and subordinate officials whose special duty it was to maintain order. Not one of these moved a finger on the day of execution; and many days previously, while death and murder were visibly approaching their victims, the only pretence of rescue or intervention made by the Chehien (the local magistrate) was the issue of a proclamation for which he deserved to have been hanged on the spot, tending to confirm the wretched populace in their delusions as to the foul conduct attributed to the missionaries, instead of boldly denouncing the authors of such slanders, and emphatically declaring their falsehood. It is impossible to come to any other conclusion than that which has already been very generally adopted by foreigners in the country, namely, that there was a deliberate design to murder the unfortunate people—men and women,—whose whole life was one sacrifice for the benefit of the heathen race among whom they had voluntarily cast their lot; and there was no authority on the spot, from Chunghow down to the lowest of the Tingchais or police-runners, who could have been ignorant of the design. Why did they not prevent its execution then? There can be but one answer. Either they would not from fear or other motive, which is our belief; or they had not the means and could not, and that no one on the spot believed. We are told that the case presented many difficulties: that the Chinese Government believed that the Tientsinese had a *bonâ-fide* ground of suspicion or exasperation against the religious bodies, and were consequently disposed to deal mildly with the offence. Again, so far as the mandarins accused are concerned, although our presumptions were strong, our evidence would have been worth little in a court of justice against anyone but the magistrate. Against the Prefect and the ex-rebel and General Chen-kwo-jui there was only the testimony of common fame, but not such evidence as would secure conviction in an English court. All which may be more or less true. But there could be no reasonable doubt of the culpability of these mandarins, inasmuch as if they did not foster the ill-feeling they did nothing to prevent it. In that sense, therefore, the blood of the murdered may justly be laid to their charge.

We are thus brought to the greatest difficulty and by far the gravest cause of anxiety. Of all the dangers which menace our position in China, and the difficulties which surround the Representatives of Foreign Powers, there are none to be compared in gravity or in urgency with those created by the Missionary question. Many others exist, as we have seen. If there were no missionaries in China, the merchants would bring

their share of discord and elements of danger. The importation of opium and the exportation of Coolies, with the frightful abuses of kidnapping, and the horrors of the 'middle-passage' re-enacted in the emigrant ships—the smuggling between Hongkong and the mainland—these, and many other griefs of the Chinese authorities and people, would make trouble. Merchants and trade existing, the necessity of political relations follows. In their train come other dangers and causes of hostility, more especially among the officials of the provinces and the governing powers at Peking, the latter in contact with foreign Ministers, as the former are with consuls at the ports. If these are more limited in number than the causes connected with merchants and missionaries, they are still very influential, and all the more important that they act near to the fountain-source of all authority and influence in China. No doubt the sort of tutelage in which the Chinese Government is held through the Tsung-li Yamĕn (The Foreign Office of China), at the head of which is placed Prince Kung, a brother of the late and the uncle of the present Emperor, must be deeply irritating and galling to Chinese pride. The frequent reclamations which the Ministers of Foreign Powers are compelled to make, and the insistance necessary to obtain any kind of justice or redress through the Central Government, when any wrong or violation of treaty has been committed, cannot be otherwise than distasteful to the Prince and his colleagues. And yet as affairs are conducted in the provinces and with five or six Legations at Peking, these trials must be constant. Then there are rivalries and exaggerated susceptibilities among Foreign Powers, which also have to be met, and appeased if possible, even though the price be some unreasonable concession of lucrative appointments in the Imperial customs or elsewhere. Then Russia is not a comfortable neighbour—not easy to entreat, nor altogether pleasant in some of its exigencies. Hanging like an avalanche over the Northern and Western border, there must always seem a danger of a sudden descent, and half a province being torn away. The greater part of Manchuria so disappeared, while China was too busy with the Taepings, and we with the Crimean war, to take much heed. The overland trade across Mongolia and Siberia, with border raids, and caravan trading rights, are fruitful sources of trouble and anxiety. The last affair we heard of was the emigration of 3,000 Coreans across their frontier into the adjoining territories of the Amoor, and their reclamation by the King of Corea from Russia. Corea lies very conveniently close to Sagalien, and on the way Russia must travel sooner or later down the coast, to get an unfrozen harbour on the Pacific. If we were in the King of Corea's place, knowing what we know, we should let the emigrants stay where they are; and above all things avoid a quarrel with our big neighbour.

So far as the Chinese Government is concerned—perhaps more strictly speaking, so far as the Ministers of the Tsungli-Yamĕn have any voice—they would not willingly provoke war with any foreign Power. But those of their number who have any liking for foreign intercourse or any sympathy with the objects and wishes of foreigners—subjects or Powers—are very few. On the other side, the anti-foreign party musters very strong. How deep this feeling of rancour and hatred is, may best be conveyed in the words employed by Mŏ, the senior governor and preceptor of the boy Emperor, applying a vernacular saying among the Chinese to express his feelings in regard to the foreigner. 'I hope daily,' he says in concluding his memorial to the Emperor against the institution of a college for teaching western science and languages—'I hope daily to eat their flesh and sleep upon their skins.' If this truly amiable desire should be very generally participated in by the high officers at Peking and elsewhere throughout the Empire, and we have a strong misgiving on the subject, it must be evident that what we call peace is but an armed truce—to last only so long as those who really govern think it safer or more profitable than war. But recent information leads us to infer that there are many now about Peking and in the palace who have forgotten the victorious march of the Allies on the capital; and, duped by their ignorance and conceit, the length and breadth of which no European can measure, they think their progress in drill and the possession of arsenals—from which European *employés* have turned them out some cannon and gunboats—render them a match for any single European Power. And as we are always quarrelling and flying at each others' throats, as Prussians and French are at this moment—they think there need be no great difficulty in keeping us isolated. Sometimes they may have thoughts, when very hard driven, of securing an ally—say the United States. It is difficult to say what might be the number or extent of the changes such an alliance offensive and defensive would be likely to lead to. It would presuppose of course, as a necessary condition, that the rulers of China had decidedly made up their

mind after a certain experience in their relations with Foreign Powers, that—all things considered—one master was preferable to many. It might be awkward, however, for China if she found she had made a mistake; since the union, like some others, might prove indissoluble except by the death of one of the parties to the contract. Yet more improbable things have come to pass within the last century, and the last few years in Europe. No one knowing China and the present situation will deem such a combination absolutely impossible.

The Burlinghame Mission, about which so much indignation has been wasted 'among the small mercantile bodies located at the open ports,' was undoubtedly an effort—it may have been a preliminary effort—on the part of the Chinese Foreign Office to secure more consideration for their difficulties. It was a plea for forbearance. They felt themselves ridden hard by more than one Old Man of the Sea, and the angry denunciations of the mercantile bodies before the revision, was the last drop which made the cup of bitterness overflow. If a revision was to be claimed by the British Government and carried on in the spirit of the memorialists, then the sooner they swallowed gold leaf or retired into private life—the two grand resources of Chinese high officers when all hope is lost—the better. If haply the last alternative should be open to them. Sorely pressed by a powerful national party, anti-foreign to the last drop of blood, as Mō would declare, for them to contemplate the concession of one-half of the sweeping changes so urgently demanded by the British merchants would simply be to sign their own death-warrant, and the certain ruin of all their party, weak as it was in numbers and only strong in superior intelligence.

It was in this sense the Legations at Peking were led to believe the Burlinghame Mission was sent to urge upon all the Treaty Powers the policy of leaving them alone. Mr. Burlinghame, it is true, seemed, as soon as he got among his own people at San Francisco, to have been carried away by their enthusiasm and by his own sanguine hopes of great results from the Mission, and went far beyond its legitimate limits. He forgot all his own experience, and represented the Chinese as eager for progress—ready to welcome the foreigner and all his innovations, and to 'plant the shining Cross over every hill and valley.' If this meant anything in Mr. Burlinghame's mouth beyond what one of his own supporters said at the dinner-table—'a great flow of eloquence meaning nothing but good feeling'—he must have forgotten all he had learnt during a five years' residence at Peking. But, however erroneous, it was only calculated to mislead those who were totally ignorant of China and its people. He would undoubtedly have better served his cause—the cause of the Chinese—if he had stated the plain truth, and put no gloss whatever on the facts of the case. If he had boldly proclaimed in every Court in Europe that there were statesmen now in power in China who believed progress in many directions, if not desirable at least inevitable, and were therefore willing to take such steps as they thought consistent with safety in that direction; but that they were in a very small minority, and were engaged in a constant struggle with a large and powerful party in the State, comprising nearly the whole official class—all the educated portion of the nation—with an unknown proportion of the people, thoroughly anti-foreign in all their feelings and prejudices, wedded to the philosophy and traditions of their ancestors and forming a compact body of resistance to all progress or innovation, he would have given a true account of China as it is, and better served her cause in the end, than by any highly-coloured pictures of an imaginary Chinese Empire. He might have truly and wisely added that to force upon the few more enlightened members of the Government measures they are not able to carry through, would be merely to ensure their removal from power, and precipitate either a war or a revolution—but in all probability both. So also he might have urged that to perpetually humiliate the Tsungli-Yamĕn representing the Government in its foreign policy and relations, with imperious demands for sweeping changes which they have constantly declared their inability to initiate, and by perpetual interference with their customs and internal administration, is simply to play into the hands of the anti-foreign and reactionary party—the most violent enemies of progress in any shape—and to cripple or paralyse the only statesmen who hold out any hope of improvement, or show any consciousness of the necessity for progress in the interest of China and of peace. Had the Mission done this, it would have done China and every Treaty Power good service; and we are persuaded that this was the one immediate object contemplated when it was first suggested to the Government at Peking, or, in other words, the Foreign Office there, by the merchants' memorials. They desired and thought themselves entitled to greater consideration and forbearance than they were likely to get from the mercantile communities.

We have heard so much of our difficulties in China, that of late the public press has returned again and again to the subject, asking with a painful iteration—'What is to be done with China? What shall we do with China?' The apparent impossibility of combining in any common effort all the Treaty Powers for the assurance of its independence on the one hand, and the difficulty of applying a steady friendly pressure for the advancement of material improvements under the present system of misgovernment and corruption, render all action very difficult. Taking all these circumstances into account, we cannot help recalling the answer given by Lord Melbourne to similar inquiry in a home difficulty, 'Can't you leave it alone?' Can we not leave China alone so far as any effort is concerned to force upon her what some Utopian philosophers call 'progress and civilisation'? Words of great potency sometimes, and of very wide scope; but most frequently of evil omen when a superior Power conceives the idea of grafting something new upon an old civilisation, and with his strength imposing it upon another race.

When our trade is in question, or the lives and property of those engaged in it, we have a clear course before us as a nation deeply and rightly interested in all that concerns them. But these conditions become complicated and confused if we adopt schemes of civilisation and progress, and superadd to them religious propagandism and the conversion of the heathen. It is very difficult to say where any one of these allied objects may land us. It becomes a serious question, at all events to a commercial nation like Great Britain, how far such widely divergent ends can be combined at all, or whether they are not absolutely incompatible? The merchants tell us the interests of trade require that they should develope the resources of China, work mines, lay down railroads to facilitate travelling and the transport of their goods into the interior; telegraphic wires for readier communication, steamers under foreign flags on all the rivers and inland waters, &c. Unfortunately all these means and appliances for trade cannot be discussed on purely commercial grounds, or rather they cannot be kept within those limits, and so discussed with a Chinese Government. They necessarily raise political questions of great intricacy and of the highest importance in a country such as China is—with its weakened Government, semi-independent provinces,—corrupt and decentralised administration, and teeming millions of population. The commercial interests are dwarfed and sink into utter insignificance by the side of the infinitely greater and more important national considerations, which the bare contemplation of any sweeping changes must always suggest.

So far as trade is concerned—trade simply, and without political and missionary accompaniments to complicate its conditions—the Chinese as a nation are well disposed. They—that is the ruling classes and people not directly engaged in it—do not desire foreign trade; and if they had a free choice would certainly shut it out. But as things are, they are willing trade should be carried on if they are not pushed too far or too violently in the way the foreign merchants would have them compelled to go. What are we to promise ourselves as the result of any refusal to acquiesce in this neutral policy and the adoption of measures to force them in a different course? Shall we gain anything? And who has counted the risk and the cost of a decided step in this direction? Not the memorialists of Hongkong and Shanghai, we should say, judging by the whole purport and tone of their memorials. May it not be possible for the British Government, if moved by the spirit shown in these, to do many worse things in the interest of trade than follow Lord Melbourne's advice for the moment, and wait until the way is clearer either for pressure or active intervention in this much-vaunted path of progress and civilisation? China is open to our enterprise as it is; under certain limited conditions it is true; but still, under fairly favourable circumstances, we must conclude, since large as our trade is, it has nearly doubled in the last ten years. She has a lower and more liberal tariff in import and export dues than any Western State can boast of. A full participation in the coasting trade has been allowed—a step greatly in advance of European legislation. Despite all this we want—or our merchants do—to carry on their trade in China, not as China is, but as they conceive it might be made by the introduction of many modern appliances, and under totally different conditions of fiscal administration and government. We think the British public and the British Government will conclude, that neither the strength nor the power of the nation can be enlisted to compel the Chinese rulers to withdraw their determined opposition to the innovations proposed in a country so little prepared for great political trials and experiments. We are, of course, aware that the memorialists contend they ask for no changes which will not be for the advantage of China and its people quite as much as their own. Possibly it may be so in fact, and we have no inclination to question

it. But granting the premiss, has China no right of judgment or voice in the matter? Or, if it be preferred, should the Government, the actual rulers of the country, be allowed no opinion on a matter which so vitally affects both them and the nation they govern? We think there can only be one answer, unless it be proposed to introduce the *plebiscitum* into China, and engage in an undertaking to transfer political and governing powers to other hands.

Space will not allow us to go more fully into the missionary question, or discuss the details of the Tien-tsin massacre, and the miserable delays experienced in obtaining even the small crumbs of justice at last meted out from the mandarins' tables. Nothing could have been less satisfactory. The whole order of proceeding, with the result, appears little better than a mockery of justice. There is nothing real or substantial to be recognised in either, unless it be the payment of half a million of taels indemnity, the receipt of which cannot be regarded with any satisfaction. Changhow himself was so much implicated, that it is an insult to have sent him to France with a mission to make the peace of the Chinese Government. But those frequent attempts at dictation and intervention, and the obstacles they raise to European influence in strengthening and purifying the administration, are great sources of evil, and have much to answer for in respect to such outbreaks. Insurrections are provoked quite as much by known weakness as by universal corruption. The danger created by the missionaries—the Roman Catholic missionaries more especially, with their ultramontane system and tendencies, under the protectorate of France—have done more than all else to create a state of things very inimical to the maintenance of peaceable relations. Unfortunately the remedy for this is very difficult to find, unless Foreign Powers are prepared to go back and undo much that they have been very persistently doing since the signature of the last treaties at Tien-tsin. If France can be induced to relinquish an ostentatious protectorate of Roman Catholic missions in the East, and cease to impose upon an Eastern race the ultramontanism it has so firmly and consistently resisted in French territories as subversive of the civil power: and if Russia will cease to covet her neighbour's territories: and Great Britain be content to protect her trade and turn a deaf ear to any other form of propagandism, social, political, or religious, leaving the Chinese to develope such forms of national life as best befits them; and all other Treaty Powers can agree to follow a similar reasonable course, there might then be some hope of permanent and peaceful relations, and the gradual but certain diminution of hostility, because the chief causes would rapidly disappear and cease to trouble either foreigner or native. Failing this, it may be asked what course we recommend and what policy we would suggest? We answer, a policy as simple as it is plain and comprehensive. Insist upon all reasonable security to life and property, and such protection to trade as treaties have broadly stipulated, and secure this end by such means as may be found necessary; by and through the Central Government, if it will act efficiently—without it if such action be wanting. Give the local authorities and people, as well as the Government at Peking, distinctly to understand that there shall be no impunity for unprovoked attack where British life or interests are concerned, though it may be very difficult at all times to secure the object. As for the rest of the merchants' programme, and all projects for the forcible introduction of progress and civilisation, leave the Chinese alone, and disclaim all right of dictation or interference for other objects. This may not succeed, but it seems to us better adapted than any that has yet been tried, to attain the desired end and declared object of our treaties with China. For a radical cure we must look to other means; but as a *modus vivendi* in the meanwhile we can suggest nothing more effective.

Our views on the present situation and the more immediate prospects in China are easily summed up. The halcyon days of rapid fortunes have passed never to return. Trade increases, but passes more and more into Chinese hands so far as distribution is concerned. Foreign merchants are gradually disappearing except from the larger ports, such as Shanghai, Foochow, Amoy, and Canton. At these, such is the increase of competition, that the most fortunate are simply able to pay their expenses. None are making fortunes save those who have no capital to lose, and call themselves bill brokers. The shipping business grows, but the Chinese reap all the profits save such as pertain to freight. Since the evil day when the massacre of Tien-tsin was perpetrated without let or hindrance from any authority, civil or military, and without a thought of interference from the more orderly and respectable part of the population, our position in China has been greatly changed for the worse. We are now only safe so long as we are not attacked, and day by day those now resident in the country take their chance of this only too probable contingency. After such atrocities done in open day, and in a treaty port within eighty miles of the

capital, anything may occur. Her Majesty's Consul at Shanghai has stated to the community there, that the interference of a naval force in any emergency is not authorised, except in cases when the lives and property of British subjects would in all probability be sacrificed without it, and even in such cases, her Majesty's Government will 'expect to be satisfied that the alternative of saving foreigners by taking them on board was not available.' 'Precautionary measures,' the Consul adds, 'do not seem to be contemplated by the instructions, as now constituted, but merely the affording of such assistance as may be necessary, in the event of an actual attack, to the preservation of life or the protection of property from destruction.' Under such limitations as these, ships of war can afford no real protection for the saving of either life or property against any sudden onslaught—the exact day and hour of which foreigners can never know, even though forewarned, as at Tien-tsin, of the existence of danger from a Chinese mob. It is generally under the leadership of crafty and very treacherous enemies plotting their destruction. For all practical purposes, a British fleet might as well be in the Atlantic as in the China seas, if no action can be taken until an attack has actually commenced. Measures in anticipation of danger must be taken if any real protection is to be secured. A certain large discretionary power on the spot is no less essential, since weeks or months must elapse before a reference can even be made at Peking from the ports in winter. In this last instance there was not even this difficulty, for the Legations were within twenty-four hours' reach. But between this discretionary power and a license to proceed to measures of hostility in anticipation of danger, under the direction of a commander of a gunboat or a junior consular officer, there is a wide distance. The best deterrent of crime and treachery in China is undoubtedly the known strength to resist or power to punish. Where the first is wanting, swiftness and certainty in the punishing power is the only substitute. Through the Chinese rulers neither of these will ever be secured. We repeat, they have never been known to intervene in time either to save life or property. In the last melancholy example of such impotence—the butchery of Tien-tsin, no effective action had been taken fifty days after the event. Nor in the end have any of the responsible and active participators in the outrage suffered punishment. All that has been done by the Chinese Government has been illusive and utterly inadequate. The Executive has shown its weakness in a way to revolt the least exigent; and the anti-foreign party has given us a specimen of their strength of a very ominous kind. The Tsungli-Yamên did not arrest Chĕn-kwo-jui, who seems, by common report, to have been the chief plotter of all the mischief. They made no step in this direction, although the Representative of France openly charged him with complicity in the evil doings of the 21st of June. Tsĕng-kwo-fau, by his weak trimming and indecision when sent to the spot to punish the chief offenders, has lost credit with every party. His tardy memorial absolving the unfortunate Sisters from blame deprived him of the leadership of the anti-foreign party in the State, of which he had long been regarded the head; and his want of decision and his fear of the people have led the smaller group of pro-foreign officials to fancy that he must have been greatly overrated hitherto. He was six weeks at Tien-tsin before he had the courage to make a single arrest. The last reports from Peking say that he is about to retire into private life, discredited and disgraced in the estimation of all his friends. Yangchow, where he came in collision with the British Minister and was compelled to afford redress for a popular attack on the missionaries in that place, and Tien-tsin, where he was confronted with the French Representative in a still more serious affair, have clipped the wings of his soaring ambition, and sent him back into private life from his Viceroyalty and the foremost place in the councils of the nation. He has suffered a downfall scarcely less great than Yĕh of Canton memory. Certainly if foreigners often suffer from the hostility and ineptitude of Chinese officials, the latter have reason to look with fear on any serious conflict with those they so often seek to trample on. '*Malheur à qui s'y frotte*,' might well be the motto over every foreigner's escutcheon in China. This fact itself should be, and no doubt is, some protection.

The next greatest man in Chinese estimation to the Viceroy Tsĕng-kwo-fau, who is now passing off the stage, is Li-hung-chang, the generalissimo of the 'ever-victorious army,' which, with Colonel Gordon's aid, gave the *coup de grâce* to the Taepings shut up in Nanking. He has been appointed Viceroy and Governor-General of the province of Chili in succession to Tsĕng-kwo-fau, and by last accounts had gone to Tien-tsin, that port as well as the capital being within the limits of his province. It remains to be seen how he will act. He has the reputation of not being afraid of the people, as his predecessor unfortunately was; and has shown himself quick in taking a decision. Of late people say, however, that

his palm itches, and the rich folk at Tien-tsin may have already greased it for him. We fear matters were not well managed on the foreign side in the beginning. M. de Rochechouart seems to have complicated matters by demanding the heads of three officials at the offset. He did not get them of course. To have given them without a trial would have been an act of pusillanimity; and to give them now, if a legal conviction could be secured, would be regarded by the people as evincing fear of the foreigners, and the beheaded would be glorified, as have been the coolies executed, as martyrs in a patriotic cause. He also seems to have greatly erred in separating himself from his colleagues after having proposed a common action, and thus suggested to the Chinese the idea of isolation. As he brought up gunboats and threatened to use them, the Chinese at once began their preparations for which he furnished so valid an excuse, and the province is now filled with troops, and all along the coast they are reported as prepared to meet the French. The officials—some at least—think they are strong enough to meet any one Foreign Power in the field, and they have so reversed the position, that from playing the part of the wolf in troubling the stream, they now regard themselves as the injured party, and will fight if France does not accept their terms! This, we presume, is the blustering talk of the braves and fire-brigades of Tien-tsin. As the French are not contemplating any attack, it seems probable that there may be quiet during this winter; but how next year may go on it is impossible to say. One thing seems certain; although the official telegrams from Peking do not sanction such a conclusion, the demeanour of the people is everywhere changed. We have this from many witnesses of the most reliable kind, and from one among others who has lately been at all the principal ports, and is thoroughly conversant with the people and their language, and could not be mistaken on such a plain matter of observation. There is evidence of a general desire to turn the foreigner out; so that unless they speedily get the only sort of lesson which they seem capable of understanding or really profiting by—teaching them respect for the foreigner's life and his property, there is a prospect of increasing difficulty in the future, and nothing but difficulties. If the French were in a position to act alone, they would for a time beat all conceit out of the most obstinate of the Celestial race, and inflict a lesson that would leave little to be desired—as to effectiveness. But if France were left to act alone, great mischief would inevitably follow, and it is probable that in the present state of that country she will be unable to act at all. Already much evil has been caused by the domineering spirit and intermeddling policy of the French agents, as well as by the Ultramontanism of the missionaries under their protection. But what could be anticipated if they were left to act alone in humbling the Chinese, and compelling them to accept such terms of peace as it might please France, in her own political or missionary interest, to dictate? That at least must not be. It would be too utterly destructive of all hope of maintaining any permanent relations of peace and amity with either Chinese rulers or people; and would undoubtedly pave the way for the disintegration of the Empire, or its partition among the Foreign Powers—attempts to subjugate whole provinces and appropriate the morsels in perfectly indigestible quantities. So far as the interests of commerce or of civilisation are concerned, nothing could be more fatal.

It is not without interest, in a political and historical point of view, to note the strange coincidence by which two countries, at the extreme west and east of the great Asiatic continent, afford at the present time striking analogies in their political situation and prospects. Both are objects of solicitude to the great European Powers, and both are, to a great degree, under their tutelage. Russia hangs on the frontiers of both with a menacing and crushing power, and is hated and dreaded accordingly by each of them for somewhat similar reasons. Against disintegrating forces, applied by rival and contending Western States, in the form of advice—imperious demands for reforms—privileges and concessions of the most sweeping kind—China, no more than Turkey, can offer any defence, save such as weakness suggests in presence of superior force—to temporise and oppose a certain immoveable and dogged *inertia*—a passive resistance such as the Pope's *non possumus* typifies. It is thus that they are alone enabled to meet demands made upon them for concessions larger than were ever demanded except from a defeated enemy. After all, however much we may regret this chronic state of antagonism, it is impossible not to admit that the Chinese ruling classes may be not wholly wrong if they conceive that a nation of some three or four hundred millions was not made merely for foreign trade and that foreign nations and merchants might grow rich, or even that foreign statesmen and political philosophers might enjoy, free of cost, a new and vast field for experiments. They may be pardoned if they sometimes

feel—and feel strongly—that every other object and interest in the Empire should not be wholly subordinated to their commercial relations, or the nation governed entirely and exclusively by the demands of foreign merchants or the will of foreign States.

Art. VIII.—1. *The Military Forces of the Crown. Their Administration and Government.* By C. M. Clode. 2 vols. 8vo. London: 1869.

2. *Letters on Military Organisation, reprinted from the 'Times,' with Additions.* By Lord Elcho, M.P. London: 1871.

3. *On Army Organisation.* By Sir Archibald Alison, Bart. Edinburgh: 1869.

'Let it suffice,' says Lord Bacon, in one of those pregnant sentences which are the wisdom of ages—'Let it suffice, that no estate expect to be great, that is not awake upon any just occasion of arming.' The people of England, not unmindful of their former and their present greatness, are awake to the events passing around them, and to their own duties in the midst of them. Whether they look to the East or to the West, to Central Europe or to the Furthest Isles, it is apparent to the simplest capacity that if we hope to retain the blessings of peace for ourselves it must be that we are prepared to defend them; and that the rights of nations and the obligations of public law are, at this present time, protected solely by the force which can be brought to their support. It would be infatuation to imagine that the naval and military power which sufficed in years of peace and lassitude can suffice for this Empire when Europe rings with a din of arms, and when our interests in Asia and America are alike assailable. On this point the expectations of the nation are unanimously and confidently fixed. The security of the country and the duration of the present Administration depend on the fulfilment of these expectations. Mr. Gladstone is called upon to meet Parliament with measures widely different from those bills of internal reform which he has heretofore introduced and carried with so much spirit and success. We trust that he and his colleagues will display equal vigour and resolution in framing and proposing comprehensive legislative and executive measures for a thorough reorganisation of the military forces of the Crown. That is manifestly the task which now awaits his hand and calls for all his power. Parliament and the country are prepared to accept from him measures which might some months ago have found them indifferent or reluctant. We know nothing of the intentions of the Government; we do not pretend to penetrate them; but Ministers have a signal opportunity before them, and we trust they will use it with signal success. The following pages are offered as a contribution to the discussion of this most important subject, with the conviction that, although differences must occur as to the mode of application, the principles we are about to advocate are those on which alone a sound and searching reform of the army can be effected.

It is therefore at an opportune time that Mr. Clode's book has appeared; a more valuable record of the constitutional history of the army could not have been written; but we rise from its perusal with a feeling of utter amazement that a practical nation like ourselves can entrust its defences to a machine consisting of parts so intricate, unwieldy, and even antagonistic to each other, as the British military system.

The military forces of the Crown are a heterogeneous medley. The Regular Army is under the Commander-in-Chief. The Pensioners and Army Reserve are under the War Office. The Militia, the Volunteers, and the yeomanry are under the lords-lieutenant of counties. There is no cohesion, no unity. The laws which govern these several forces are contained in various acts of Parliament which it would puzzle even Mr. Clode to collate. The regulations which rule the pay, the promotion, and the discipline are partly contained in scattered regulations, partly in an unwritten code wrapped up in the breasts of officials at the War Office and Horse Guards, by whom it is enunciated, and by whom alone it can be interpreted.

The Regular Army, the Militia, and the Volunteers are severally recruited by voluntary enlistment, but instead of assisting each other they rather tend to compete in the same market.

In the scientific corps officers are appointed by open competition, and promoted by seniority. In the Guards, Infantry, and Cavalry they are nominated by the Commander-in-Chief; they are promoted, partly by seniority, but mainly by purchase. In the Militia and Volunteers the officers are commissioned by the lords-lieutenant.

Departments of supply exist for the Regular Army alone, not for the Militia or Volunteers, nor is the latter force furnished with any field equipment. The Supply Departments are now in a state of transition, indeed, of entire reconstruction. The Sec-

retary of State is accustomed to make an announcement annually in his speech on moving the Army Estimates that the War Office, in its internal arrangements and in its relations with the Horse Guards, is also in a state of reorganisation. Yet there have been, says Lord Longford, 17 Royal Commissions, 18 Select Committees, 19 Committees of officers within the War Office, besides 35 Committees of officers to consider points of military policy during the twelve years of the existence of the Consolidated War department.

We have expended upon our army nearly 150,000,000*l.* in the last ten years, of which probably 18,000,000*l.* has been spent upon equipment and stores, and yet our sea defences are not armed with guns capable of piercing armour-clad ships; our regular troops are not yet fully armed with breech-loaders; our supply of powder is inadequate for our ordinary wants; if we embarked in war and lost a force but one-tenth in number of that French force now prisoners in Germany, we should not know where to turn for reserves. Such is the state to which our military power in Europe has been reduced by the absence of one essential condition—organisation. We have men, material, money, public spirit in abundance. Nay, on the banks of the Ganges we have ourselves an army of 180,000 men, well administered and perfectly equipped for war. But on the shores of the Channel scarcely four divisions could be drawn up in battle. Come but the man, come but the will, and this disgraceful chaos would subside into order and force, and this at no greater cost than we incur already. But men must first know how to set about it. Army Reform means simply the introduction of unity into the constitution of the military forces of the Crown, and consistency into the organisation of the departments which administer them.

It will clear the way for understanding these problems, to show how the present condition of things has been reached.

The defence of the realm is the first duty of the Crown, but the Crown cannot legally maintain an army without the consent of Parliament. The constitutional arrangements which followed the Revolution of 1688, and which still obtain, may be summed up under three heads:—

1. The Bill of Rights and Act of Settlement which gave Parliament the power to limit the number of armed men to be retained by the Crown within the realm.

2. The payment of the men by Parliament through the agency of the Crown.

3. The government of the army by the Crown through the statutory authority of the Mutiny Act.

Parliament annually voted the supplies, but the administration of those supplies rested with the Crown. Parliament could easily control the amounts which it annually voted on the Army Estimates, but wars and the protection of distant colonies caused unforeseen expenditure, which the Crown was accustomed to ask Parliament to vote in a subsequent year under the head of 'Extraordinary Services incurred and not provided for.' These 'Army Extraordinaries' were used by the Crown as a constant pretext for exceeding the supply, and their existence was a complete bar to real control over military expenditure. Hence a continual struggle was maintained by the House of Commons, from the time of William III. almost until the present reign, to obtain this control; but it was reserved for the Reformed Parliament in 1835 to abolish 'Army Extraordinaries,' and thus to obtain that efficient control over military expenditure which had so long been desired.

The earliest method adopted by the Crown for raising men was to contract with 'some knight or gentleman expert in war, and of great revenues,' to provide a number of men to serve; and this principle, though much modified, prevailed to a late period, and was even practised during the Crimean War. The colonel of the regiment was responsible for the finance, and received a sum to cover the expense of clothing and recruiting. By degrees, as the army became a more permanent institution, recruiting and enlistment were subject to special legal enactments; and after 1783, the cost of recruiting was specially voted by Parliament. The object sought by the Crown was to procure as cheap a material as possible out of which to make soldiers, and in time of pressure the ranks were sometimes recruited by taking from the prisons debtors and even criminals. The ordinary enlistments were for life, notwithstanding repeated efforts made in Parliament to fix a limit to the period of service, but special levies were made for short periods. The constitutional policy pursued by the Crown in officering the army was to appoint gentlemen alone to commissions, and that policy has been confirmed by Parliament. Thus while the ranks of the army were raised from the lower classes, the command was entrusted to the higher class. Out of this system pursued in the formation of corps and regiments arose the purchase and sale of military commissions; but this subject has been so fully discussed of late years that we shall not now advert to it further,

regarding the abolition of purchase as a subsidiary rather than as an essential part of the reorganisation of the army.

The Militia, a force independent of the Standing Army, under the military command of the lords-lieutenant of counties, was raised and trained immediately under parliamentary control; but after the great war the House of Commons had so reduced this force, that in 1835 it consisted only of a few staff officers. The Volunteer Force, which in 1814 had numbered 360,000 men, at an annual cost of 1,160,000*l.*, practically ceased to exist during the long European peace.

About twenty-five years ago the agitation for Army Reform may be said to have begun, with meritorious but disconnected efforts to improve the status of the soldiers. Lord Grey was the first to draw practical attention to the defective sanitary and educational condition of the troops. In 1843 the Act was passed enrolling the Pensioners as a reserve force, and an aid to the civil power. In 1847 another Act put an end to enlistment for life and compelled the Crown to enlist all men for a limited period; i.e., in the infantry, engagements for ten years, and in the cavalry and artillery for twelve years, with re-engagements for eleven years. In 1854, Lord Hardinge, the General Commanding-in-Chief, who had held the post of Commander-in-Chief in India, and had served as Master-General of the Ordnance, issued the warrant by which the promotion of officers to appointments and commands became a matter of selection. He introduced the Minié rifle into the army, formed the School of Musketry which has had an important influence in giving an impulse to the education of the nation in the use of the rifle; and finding the army of England devoid of field artillery, he created that arm as we now see it. Lord Herbert introduced numerous reforms for promoting the well-being of the soldiers, and thus raising the character of the army. The threat directed against Great Britain by the French colonels caused the Volunteers to spring into existence in 1859, and induced Lord Palmerston to give effect to the Duke of Wellington's recommendation to add greatly to our fortifications. The Militia Acts (1758–63) were passed as an experiment; but after an experience of a quarter of a century, the Militia Laws were consolidated (in the year 1786) in one Act containing as its preamble these emphatic words:—that 'A respectable military force, under the command of officers possessing landed property within Great Britain, is *essential* to the constitution of this realm, and the Militia, as by law established, has been capable of fulfilling the purposes of its institution; and through its constant readiness on short notice for effectual service, has been of the utmost importance to the national defence of the kingdom of Great Britain.' In 1802 the numbers of the Militia were raised; and the powers of the Crown in relation to the Militia, as well as the strength of the force itself, have been extended by the Acts of 1852, 1854, and 1859. The third chapter of Mr. Clode's work, which gives the history of the laws regulating this great constitutional force, is one of the most valuable parts of his book. We wish we had space to quote the whole of it. But it must here suffice to say that it dates from the fifteenth century; that it has ever been regarded by Parliament as the force arrayed under the lords-lieutenant for the defence of the realm, even when Parliament mistrusted the standing army; that *the ballot is the true basis on which the Militia rests* in all the Acts of Parliament from 1757 to the present time, though the operation of it has been and is suspended by an annual Act passed regularly since 1829; and that, in our opinion, the want of a more vigorous exercise and organisation of the Militia, on the ancient principles of the Constitution, is the main cause of the relative inefficiency of our whole military system, as we hope presently to show. As it is, the Militia has provided the country with an army of imperfectly trained men which may be called out for the defence of our shores, or for duty, when the Line is sent abroad.

This is a brief enumeration of the principal steps which have been taken of late years.

Under the old organisation of the army, which is now considerably changed, the Crown was the direct head of the Standing Army and signed all commissions. The officer Commanding-in-Chief was responsible for the discipline of the infantry and cavalry under the Mutiny Act and Articles of War. The Master-General of the Ordnance was responsible for the discipline and efficiency of the artillery and engineers. The Secretary of State for War and the Colonies advised the Cabinet upon the numbers to be maintained and the strength of the garrisons, and he nominated to important commands. The Secretary at War, appointed by the Crown under the countersign of the Secretary of State, controlled the pay and allowances of the infantry, cavalry, and staff, and the movement and billeting of troops in the United Kingdom. The Treasury provided by its own agents the pay, food, fuel, and light for all troops in the Colonies. The infantry and cavalry were clothed by the colonels of regiments. The Master-General of

the Ordnance, a Cabinet Minister, who was head of the artillery and engineers, selected and provided all military equipment, arms and munitions, he constructed fortifications and barracks, and held land used for military purposes, subject to the financial control of the Treasury. The Militia and Yeomanry were under the Home Secretary.

At the period of the Crimean War the present War Department was formed. The Secretaryship of State for War was separated from that for the Colonies. The Secretary at War and Master-General of Ordnance were abolished and their departments transferred to the Secretary of State for War. The discipline of the artillery and engineers was placed under the General Commanding in Chief. The clothing of the army was removed from the colonels and undertaken by the Secretary of State for War. The Commissariat Department was removed from the Treasury, and the Militia and Yeomanry from the Home Office, and transferred to the Secretary of State for War; but the military command of the Militia and Yeomanry remained with the lords-lieutenant of counties.

Various departments were thus thrown together under one roof, and under one head, by a stroke of the pen, but they were not reconstructed upon any clearly devised system; consequently clashing of duties, waste of power, and extravagance in administration have reigned in the War department ever since its consolidation. Under the former system the discipline of the forces was scattered, but the financial control was very considerable; because the Treasury was enabled to exercise an intelligent supervision over the demands of the military, in that it had its own civilian agents in direct communication with the troops in every garrison; and the Ordnance similarly maintained at every station a civil staff in direct communication with the department in London, and to a great extent independent of the officer commanding.

Under the new system, the division between executive and financial functions, which had been the distinguishing characteristic of the separate departments, was changed; but the discipline of the army was concentrated under one head, and its wants and desires could be urged with greater force. The Permanent Official Staff, formerly civilian, which practically decided on the claims of the military, acquired under the new system a large infusion of the military element, and naturally looked with more favour on applications for improved or special allowances than a civilian tribunal would have done; the Treasury lost its means of acquiring local knowledge, and with it its power of intelligent control of Army Finance.

The pecuniary result of the change is summed up by Mr. Clode as follows:—

In the year 1868–9 the number of men in the army was only to a small extent greater than the number in 1853–4; yet a material increase had taken place in the charges for the following services:

	1853-54.	1868-69.
	£	£
Barrack stores . . .	47,829	116,000
Fuel and light . . .	129,753	297,621
Lodging money and rents .	89,393	290,500
Material of war and experiments	600,000	1,550,000

Some part of the increase was no doubt due to more costly appliances for war; but independently of the diminished efficiency of the financial check from outside the department, the effect of consolidation itself must be taken into account. Lord Hardinge said, 'Consolidation is bad when it prevents the responsible head of the department from personally investigating all important details; and this applies more particularly to a military department, because the army is a mass of small details.' In the departments as at first united, the several supply services maintained their individuality. Lord Herbert, warned by the experience of the French Intendance in the Crimean war, and his successor, Lord de Grey, laboured at perfecting each department of supply; i.e. the commissariat for feeding the army, the purveyors for care of sick and wounded, and the store department for military equipments and munitions, so as to insure that a clear responsibility for failure in any class of supply should be brought home to individuals. The result of their policy was shown in the efficient manner in which the army was supplied in the Chinese war; and in the rapid and complete arrangements made for the passage of the troops in their winter journey through New Brunswick, on the occasion of the 'Trent' affair.

The classification and definition of responsibility was moreover a powerful aid to the financial department of the Secretary of State in controlling the expenditure; at the same time it was no doubt open to the objection that in some cases a duplicate staff and duplicate stores were maintained. Each department, moreover, had charge of waggons and horses for transport, the commissariat for bringing up food, the store department for moving forward reserve stores, and the purveyor's department for carrying hospital equipment and for collecting and removing wounded. Some uncertainty existed as to the transport arrangements necessary for regimental and quartermaster-

general's purposes. Consequently, a Board of Military Officers was formed in 1866, by Lord Hartington, to consider the subject of the transport duties of an army in the field. We learn from Mr. Clode's book that when the seals of office were transferred to another Minister, the Board sought for and obtained from him a roving commission of inquiry, without any more definite instructions. Mr. Clode remarks that the report of this Board is unique in that 'there is an entire absence from its pages of all constitutional considerations, and of all knowledge relating to the civil administration of the army.' The Board recommended the abolition of the supply departments, viz., the commissariat, military store, and purveyor's departments, so recently reorganised by Lord Herbert and Lord de Grey, and the formation of a new department, to be termed the Control Department, based upon the system of the French Intendance—a system which broke down in the Crimea, which failed to feed the French army in the Italian campaign, and which has utterly collapsed in the present war. The incredible details recently published in the intercepted telegrams of the French generals prove the utter inefficiency of their Intendance, which General Trochu had pointed out three years before. In England the new department was initiated by Sir John Pakington, and brought into final shape by Mr. Cardwell.

The same absence of system in the arrangements made at the union of the departments which has been the cause of the friction and dual government in the War Office and Horse Guards, has pervaded the whole of our army arrangements, and has prevented us from possessing any really effective reserves in connexion with our standing army. We rely for our reserves upon our Militia, Volunteers, and Army and and Militia Reserve, and enrolled Pensioners. The Militia regiments, unless embodied, are a mass of raw material; they may have learned a certain dexterity in marching and handling arms, but without long embodiment they cannot acquire the habit of mind called military discipline, without which it is impossible to carry operations of war to a successful end. The distinction between *drill* and *discipline* was well pointed out by Sir Charles Napier, in a passage quoted by Sir Archibald Alison, in his valuable Essay: 'Drill teaches the body to move with exactness as to time and place. Discipline does for the mind what drill does for the body. Without both an army must be defeated. Without *obedience* neither can exist; it is their essence, and like them it must be *produced by habit*, or it is a mere word, a sound, and of no utility.' Or, to quote a still higher authority, that of Napoleon, 'Un homme n'est pas un soldat. Point-d'offensive, point d'attaque, point d'audace—rien ne peut réussir avec de mauvaises ou de *nouvelles* troupes.' How cruelly has this remark been verified by the failure of the gallant but unavailing efforts of the Army of the Loire! The Prussian success in this campaign is due to the fact that through their system the whole armed population had been trained in a real military school for at least three years. Before the introduction of steam there was time after a declaration of war to convert raw levies into good troops. Now there is no such time; and hence our militia arrangements are no longer adequate to the wants of the country; they are, moreover, a source of weakness to the other forces.

The Militia, as at present raised, rests on the voluntary principle, i. e. on a system of enlistment. It is, however, only voluntary by the annual vote of Parliament and the Militia Ballot Suspension Act. In its system of voluntary recruitment it comes into immediate competition for men with the Line. This competition is enhanced by the power which militia officers possess and exercise of preventing their men from volunteering into the Line. Under the present system we can expect no other result; indeed the Legislature has encouraged it. The Militia Reserve Act of 1867 provides, in the third section, that Militia-men can only enter the Militia Reserve of the Army with the consent of their commanding officers. It is scarcely conceivable that, if such a plan of national defence as the Act sketches out were really necessary, the success of the plan should be made contingent on the will of certain individual officers. Then again, in the case of the Militia Reserve, under section six, it remains optional with the men who enlist into that force to choose whether they shall be trained or not.

If we turn to the Volunteers for a reserve force, we find we practically rely on 'chance.' We are told there are 160,000 men, and volunteer officers are eager to obtain the best arms and increased grants for their men; but when it is recollected that these volunteers for the most part consist of men engaged in the most important business of the country, in professions, trades, industry, and public offices, it is clear that this force could only be called out for prolonged active service, as is the Landsturm, in the very last resort. To expose the volunteers to a lasting and deadly campaign would be a greater injury to the interests of the United Kingdom than an enemy could inflict. Besides,

it is a necessary consequence of the importance of the individual volunteers in carrying on the business of the country, that if the 160,000 men were called out they would dwindle to a fourth of their number.

Von Moltke has pointed out that the distinction between the Militia and the Prussian military system lies in the fact that the former are armed but raw levies, the latter is that of a nation trained to habits of military obedience. In the one case we have the voluntary system, which is like a rope of sand; but in Prussia every man must pass through the school of arms in the regular forces; having served there for three years or one year, according to the rules of the service, he lapses to the Reserve for four years, remaining liable to be recalled to the standards in the event of war. Consequently, when war does come, the moving army is at once doubled in numbers by thoroughly trained men, who revert to the regiments and serve under the officers amongst whom they have passed their early days. Thus was the army formed which destroyed the French armies and Empire in six weeks after the declaration of war.

The War Department has made repeated attempts to organise an Army of Reserve, and to introduce somewhat of an imitation of the Prussian system of reserves

1. In the Army Reserve of 1860.
2. The Militia Reserve.
3. The Army Reserve of 1867 and 1870.

Men may now enlist for twelve years to serve in the army for six years, or any other term not less than three years, at the option of the Secretary of State; provided the balance of six or nine years be passed in the Reserve force, with liability to be summoned to join the standards of their regiments when necessary. This portion of the forces would constitute the Army Reserve, as distinguished from the Militia Reserve. It would be composed entirely of men who had served many years in the regular troops and had experience of actual service. As the Militia would be the nursery of young soldiers, so the Army Reserve would be the retreat of old soldiers.*

The Militia Reserve Act binds a certain number of militia-men to serve in regiments of the Line in case of war. The Militia Reserve would no doubt swell the ranks of the Line regiments on an emergency, but does not add to the reserve force of the country; it merely transfers men from the Militia to the Line at the moment when the Militia regiments would be embodied and required to furnish garrisons for the various fortresses in the United Kingdom, and to fill the camps on the coasts to make a demonstration against an enemy's landing, and to resist invasion. We therefore think that this Reserve should be abolished.

The principle of the Army Reserve is a step in the right direction; it has not, however, hitherto been successful in practice. The soldier may enlist at his choice for twelve years in the Line, or for six years in the Line and six in the Reserves. This option is the probable cause of the failure; for officers of the army hanker after long-service men, and may have used pressure to influence the men against the new system.

We have thus far sought to give our readers a succinct but not unfair picture of the military forces of the Crown in their present condition. This brief description of our army as it exists shows that our system is a mere patchwork. When we treat of the trained forces we consider tens of thousands of men, the Continental nations deal with hundreds of thousands; they cause their military system to embrace the whole resources of the country upon the bases of duty and obligation; we tap certain conduits of national force independently of duty and obligation, and solely according to individual option or chance. It must never be forgotten that the Prussian system, which will be rapidly extended to other continental States, has brought nations instead of armies into the field, and has converted the whole population of the country into a standing army.

We now proceed to consider the British Army of the Future; and we shall endeavour to point out the principles, few, simple, and not onerous, on which we conceive that the people of these islands may raise and maintain a force of different descriptions, perfectly adapted to protect themselves at home and uphold their influence abroad. The cardinal principle upon which the reform of our system of reserves must be based is *compulsory enrolment or conscription for the Militia affecting every man in the country between certain ages;* that is to say, the Militia Ballot Suspension Act should no longer be passed. Exemption under the original Ballot Act included peers, soldiers, Volunteers, Yeomanry, resident members of uni-

* Lord Elcho states in his second letter that the whole amount of our Army Reserve No. I. at present amounts to 2,000 men. During the last year, he says, that nineteen men volunteered for this service, of whom ten were rejected. It must be observed that, as regards the men who have enlisted under Mr. Cardwell's Act, none of them will fall into the reserve until their six years of active service have expired.

versities, clergymen, parish schoolmasters, articled clerks, apprentices, seafaring men, and Crown *employés*. These exemptions should be retained or modified, but we doubt the expediency of allowing any exemption for a pecuniary indemnity. It may be argued that a man whose time is too valuable for him to serve in person, should be allowed to buy himself off. But the privilege is an invidious one, and the great merit of the ballot lies in its universal application to all ranks of society. We should propose to raise the force in the first instance from adults between 17 and 25 years of age, and subsequently to take the necessary number from persons between the ages of 17 to 20, so as not to interfere more than is necessary with settled trades, professions, or occupations. We have already shown that this is the ancient constitutional law of the realm, which has been in force for centuries, though its operation has been so long and so often suspended, that the suspension has in men's minds superseded the law. The ballot is commonly regarded, not as the proper basis of the Militia, but as an expedient only to to be resorted to when voluntary enlistment fails. This misconception has vitiated the institution. Voluntary enlistment for the Militia means that men of the lowest class are to be picked up in country towns and villages, to do twenty-eight days' service in the year for a small consideration. Even this recruiting competes mischievously with the far more important recruiting for the Line, since both services address themselves to the same market. Compulsory service by lot, or ballot, has this grand advantage, that it brings young men of all ranks and classes into the ranks of the Militia. The whole character of the force is thus enormously raised, for it becomes a true section of society itself. It represents the nation in arms. Moreover, as has been well pointed out by Lord Elcho, the exemption in favour of the Volunteers or Yeomanry would at once give a totally different character to that force also. Young men would have the option of standing the ballot to serve in the ranks of the paid Militia, or of volunteering to serve at their own expense in the other corps. But if this privilege of exemption were conceded to them, it would be on the condition of making the service of the Volunteer corps a stricter and more regular service. They would enter it of their own free will, but having entered it, they would be required, like the Prussian *einjährige*, to fulfil the conditions of actual service, failing which, they would have to fall back on the Militia. Thus in giving strength and efficiency to the Militia, the same qualities would be obtained from the Volunteers, without which, indeed, those corps had better cease to exist altogether.

The strength of the Militia should be largely increased; the names of the men enrolled might remain on the rolls for seven years, during the first three of which they would be required to attend the yearly musters; during the remaining four years they would be liable to be called out in cases of national emergency. Thus the National Reserve would consist of two classes; the first to be trained yearly; the second, having undergone training, to be liable to be called out when the national danger is great. We find that the number of adult males between the ages of 17 and 25 in the United Kingdom in 1870, excluding the army, navy, and merchant seamen abroad, is about 2,230,000; and as the number of the population vary little between the ages of 17 and 25, we may assume that about 260,000 would yearly come on for ballot. If we assume our Militia force at 300,000, then we should absorb at once 1 in 8 of the available population, and require 1 in 5 or 6 of those who would yearly come forward for ballot to keep up the reserves when once fully established.* The nominations to the command of these national forces should cease to be an affair of patronage of the lords-lieutenant of counties, or of the partialities, prejudices, or goodwill of individual commanding officers. The whole command and discipline of the Reserve forces, like that of the Army, must be under the Commander-in-Chief, who should provide officers under the direction of the Secretary of State. We shall presently show by what means the military character of officers of the Reserve forces may be raised. But whilst it is necessary to abolish the intervention of an obsolete local authority in the management and officering of the national reserves, it is indispensable to uphold the county or territorial character of the force, both in maintaining and training it, except when embodied for actual service. The Militia battalions should, as now, remain in the counties, and the counties would become, what they ought to be, the local centres of military action and organisation. The troops must be provided with adequate barracks during training, and not be billeted in public houses.

Compulsory enrolment for the Militia at once abolishes the rivalry for recruits between the Militia and the Line. The demand upon the regular troops for service abroad

* Sir A. Alison states that the percentage of recruits to the population is in the following ratios in the great European States: In France, 1 in 600; in Austria, 1 in 370; in North Germany, 1 in 300; in Great Britain, 1 in 2,000.

and in India renders it necessary to maintain voluntary recruiting for these services. It has always been a matter of pain and regret that the efforts of the recruiting-sergeant are generally directed to the dregs of the population in our cities and market-towns. Recent legislation has improved the moral and material status of the individual soldier by affording better barracks, diet, and education; it is high time therefore to seek a higher field for recruitment. That field will be found in the Militia when enrolled on the compulsory principle. Commanding officers of Militia regiments oppose the removal of soldiers painfully recruited by them; but when they receive the men from conscription, this feeling would no longer reign. The law actually prohibits the enlistment of these men, the most useful and valuable class of young soldiers. At the annual training it should be a rule, on the contrary, to hold out inducements to the men to volunteer for the Regular Army, according to the service wants of the year, but this should not stop recruiting in the great cities and other places where it now goes on.

The Militia would still consist generally of imperfectly trained men; it is therefore clear that if the force is to be efficient, it must make up for want of instruction and military habit in the men by efficiency and knowledge in the regimental officers. In is absurd to send untrained ensigns, or officers of higher degree, to officiate in the militia ranks, where every man stands in need of direct guidance; therefore the rank of ensign should disappear in militia corps. Further, no officer should be permitted to hold a commission who could not show his competence to command a company in quarters and in the field. The pay of officers on the unattached and half-pay and retired lists may in the case of very old officers be properly looked upon as a pension; but in the case of all able to serve, it should be held to be a retaining fee for liability to serve in England, and thus would afford a considerable fund from which experienced officers could be supplied for officering militia regiments in the counties. These resources should be augmented by giving a preference over uninstructed country gentlemen to officers who, having left the army, are willing to serve in the militia of their own counties. We entertain no doubt that retired officers, having a knowledge of their profession and a local interest in the respective militia regiments, would be found to perform these duties in large numbers, and at a very small additional cost. Such plans, largely and generously carried out, would provide the militia with a body of officers as efficient as those of the Line itself. We are not alluding to the accomplishment of a little drill, and the ability to manœuvre a regiment or brigade on a field day, but to those habits of command and obedience, the results of long practice and not of petty instruction; habits which rarely come to any man when the middle age of life has been passed. The battalions of Militia should be of uniform strength; the number of battalions for each county being dependent on the population. If the unit of a company were 100 men, and of a battalion eight companies, one field-officer in command, one captain-adjutant, one captain-quartermaster, and one captain and one lieutenant for each company would amply suffice.

As regards the Volunteers, we owe this force a debt of gratitude for making a great military demonstration in time of danger, and for spreading the new rifle practice throughout all classes of the community, but they should not be allowed to hamper the recruitment of the Line or Militia. Volunteers would properly consist of persons in business who on that account might seek exemption from regular service. As we have already pointed out, that very exemption would be a privilege which would greatly strengthen their ranks and their discipline. It is worthy of consideration whether Volunteers should not be encouraged in great cities and towns, but discouraged in rural districts; the position in which special Volunteer corps would however be exceptionally useful and appropriate would be as artillery corps to man batteries in defence of rivers, creeks, and harbours; there they would be on their own ground, defending their own property against the invader. It might also be worthy of consideration whether in great cities and within a certain radius from them the maintenance of a given strength of Volunteers in a fair condition of efficiency might not be held to exempt the locality altogether from Militia conscription. It would be no easy matter to resort to conscription in the crowds of London or Glasgow; it is easy in rural districts. Such an arrangement would relieve us of the difficulties, whilst it would still leave the crowded cities as a field open for voluntary enlistment into the army.

In Germany, on the outbreak of a war, the regiments of the active army are filled with young men all thoroughly trained in compulsory service. Notwithstanding this important example our circumstances impose on us the necessity of adhering to a rule of voluntary recruitment for our regular Line forces. The requirements of Indian service and of our Colonial garrisons render this condition indispensable; a condition from

which foreign armies are exempt. The difficulty, however, is not insuperable. No reform will be satisfactory which does not include the condition of giving us an effective reserve immediately on the outbreak of a war. We have shown the objections to the Militia Reserve, and there would be strong administrative reasons for not interfering with the Militia by means of a Militia Reserve, when the Militia is raised by conscription, and the Regular Army by men volunteering from its ranks; because the entire Militia would form the reserve for the Line, in so far that the latter might at any time seek for volunteers from the militia to fill its ranks. But if the Army Reserve as distinguished from the Militia Reserve were fully established, we should not, on the occurrence of an emergency, be under the necessity of immediately on the outbreak of war calling on the Militia for volunteers for the regular army; because the forces ordered for embarkation would be at once doubled by the mobilisation of the Army Reserve. Consequently, the Militia would be undisturbed by a call for volunteers for the Line, and would have time to complete the individual training of the men, and the growth of a military spirit among them; they would be thus more likely to volunteer for the Line in the sequel and would form an efficient force for home defence.

In order to work out the Army Reserve system, the option now given on enlistment should be abolished; a man should enlist for six years in the Army and six years in the Reserve, or for other periods, at the discretion of the Secretary of State according to the Act. We purposely avoid entering into the question of numbers; but assuming that the men have been obtained, it will be necessary to ensure their presence when wanted. The necessary hold over the men would be retained by the pensions they would have earned. We agree with Lord Elcho, that the pension is the link which binds their duty and their interest together, and it ought to increase as they advance in life and years of service.

The German conscription takes, as we gather from published documents, young men who have completed their twenty-first year: volunteers only are accepted at an earlier age. One of the worst parts of our present system is that recruits are generally just turned eighteen when they enlist; under that age they can only be admitted as boys. The majority of lads of eighteen or nineteen are totally unfit for service in India or other hot climates at that age, and they go out to India to cumber the hospitals, to die in great numbers, to be invalided at great expense; whereas, had they gone at twenty-one, they would have turned into hardy soldiers. Medical men and military men protest almost annually against this waste and inhumanity. The War Department has not thought fit to listen to representations on this subject, because of the difficulty, it may be said the impossibility, of obtaining full-grown men under the present system. Can a plea be found more condemnatory of the system? If we were thrown into conflict with the hardy soldiers of Germany, such boys could not endure the fatigues which would be required of them to give them a chance of success against an enemy so determined, who fights by the vigour of his legs and his power of enduring hardships at least as much as he does by the use of his fire-arms. Recruits from the Militia for Line regiments should not be less than twenty-one years of age.

The regimental depôt of each corps in the army should be fixed in its own county. At this depôt should be gathered the recruits on their being obtained from the Militia or elsewhere; and at this depôt should be *yearly* assembled the Army Reserve men of the adjacent districts, and the rolls and military history of the men should be deposited in the orderly room of the depôt. The present depôt staff would suffice if reinforced by additional clerical assistance. Thus the regimental depôts would form the point of fusion between the country Militia regiments, the Line corps fed with recruits from them, and the Army Reserve men, who on the occurrence of war would rejoin their old corps, or such corps as they might be called to. The depôts would be absolutely stationary in their county towns, and thus the expense and inconvenience attendant on the ambulatory system would be saved. The Enrolled Pensioners, so long as they continue as a separate force from the Army Reserve, should be looked after by the staff of the regimental depôt of the county in which they reside.

Having suggested these general principles of administering our reserves, we proceed to say a few words on the officers of the army. Sir Charles Trevelyan has effectually disposed of the question of purchase: it is doomed; its existence is incompatible with the true nationalisation of the British army. The notion of pecuniary property in a commission interferes with the selection of good, or the dismissal of inefficient officers; and leads the public to imagine that the cadres are maintained in the interests of the officers, rather than in those of the public service. Purchase saps authority; the knowledge that a commanding officer, before he resolves to

give up his command, spends a year or two in bargaining and finally sells to the highest bidder, is fatal to the moral influence of the commander. It is hostile to any *esprit de corps*, for the vaunted *esprit de corps* always fades aways in the individual who wants to sell his commission, and thinks he can obtain more money outside his regiment, though it be to the detriment of his immediate comrades.

The question of expense is serious and must be met. Sir Charles Trevelyan considers that the compensation need only be paid when an officer leaves the service. There are, however, others who allege that every officer holding a purchased commission will consider himself entitled to compensation as soon as the system is abolished; and that the officer who has invested all his money in a commission, and who receives as pay a sum barely equal to the ordinary interest of money, will feel himself unjustly treated if he is held to serve without compensation, whilst his brother officer who has entered under the new system, and possesses equal private fortune, receives his pay and the interest on his fortune. Knowing as we do the prevalence of this view, we fear that from the day when purchase is abolished, an agitation in and out of Parliament will be commenced for immediate compensation.

The purchase system having been abolished, a difficulty will arise as to the system which is to follow. So engrained are the habits of buying and selling commissions in the British army, that if the practice were abolished to-morrow, and a large compensation paid out of the public purse, it would recommence in some other form the next day. The seniority system affords no safeguard, as the arrangements in the old East India Company's army testify. But a seniority system is even more one of chance with regard to obtaining the best men for regimental command than even the purchase system.

We are convinced that there is but one remedy, viz., to apply to the military service of Great Britain the principle in force in the Royal Navy, and to a certain extent in the local army in India. That principle is one of selection. We should wish every officer in a regiment to be put under the five years or staff rule, and his position to be one of appointment with his commission and rank depending on his place on the unattached list as in the Navy. Each grade would contain as many officers as are required from time to time for the appointments. The promotions in rank and appointments to regimental positions would be managed at the Horse Guards according to the wants of the army as those of the Navy are at the Admiralty. Under such a *régime* idle and bad officers would disappear, on seeing that employment and promotion were denied to them, whilst the highest incentive to become efficient would be afforded to the army at large. It is so with staff appointments. It may be urged that such a system would interfere with *esprit de corps*, but it would certainly not interfere more than we have shown that the purchase system does. *Esprit de corps* is certainly not wanting in a well-conducted ship in the Navy. Probably it would be desirable to proceed gradually, and apply the system to lieutenant-colonels and majors in the first instance, and to extend it afterwards to all ranks. We are aware that none of the suggestions we here venture to make are less likely to be received with favour than this one. For the strict maintenance of what is termed the British regimental system is regarded by many reformers as the one essential characteristic of our forces worthy to be retained. Yet the subject has already been mooted by Sir Charles Trevelyan in one of his able pamphlets on Army Reform, when he advocated the more extended substitution of *army* rank for *regimental* rank; and, in fact, the principle is already applied more extensively than is commonly supposed by the introduction of brevet-rank in the army. Officers are ready enough to exchange from one regiment to another by purchase, when they conceive it to be for their advantage; and nothing is more injurious to the fair hopes of promotion than the circumstance that promotion always goes in the regiment. Our proposal would open a far wider field of promotion to every meritorious officer in the army, for he might be appointed to an advanced step in the service wherever a vacancy occurs in his arm. The one advantage of the purchase system is, that it encourages senior officers to retire, and consequently facilitates promotion. In the scientific corps, in which purchase does not prevail, there is at this moment a block in the advancement of junior officers. The only remedy is, as it appears to us, the system of selection for all the higher ranks of officers, combined with a plan for the retirement of men advanced in life, somewhat similar to that which has been recently applied with effect in the Navy. The system of retirement might be further aided by a combination with service in a somewhat higher rank in the organised Militia, which would be to many officers advantageous and acceptable. In advocating this important change we are happy to invoke the high authority of Sir William Mansfield: the

suggestion was first adopted by that distinguished officer in a printed letter dated 10th May, 1867, and addressed to Sir Charles Trevelyan, which we have now before us. In this letter he points out that if the two ranks of field officers in the regiment were *Army* ranks, the ordinary promotion should go by seniority, but with considerable exceptional promotion for distinguished conduct, and this would confer on the State the inestimable advantage of selection for the important position of regimental commanders. As a complement to this system of selection, he recommends that regimental command should be limited to five years, as is the case with the superior commands of the Army, the Staff, &c. This limitation would serve to accelerate the stream of promotion. 'It is surely a fair question to ask,' says Sir William, 'why the command of a regiment should be without limit, while that of a brigade is confined to five years, and that of a ship to three?'

As regards promotion from the ranks, the population of England is not at present sufficiently educated for it. Soldiers as a rule do not prosper under officers so promoted; they are more rough and exacting than gentleman-born officers. The reformation which is needed in this direction is the formation of a cadet system in each regiment instead of the rank of ensign. The cadets should be under the commanding officer *in statu pupillari*, as is the case with midshipmen; a rank formed for practical instruction, between the officers and men. Two real officers per company would then suffice, and cadets should be selected by competitive examination; and men from the ranks might pass this examination and enter as cadets. For aspirants to cadetships public school education is better than that of special colleges, except possibly in the case of the scientific arms, but there should be a military college open to commissioned officers.

The system we have thus sketched out would provide the best officers for regiments, and would place at the disposal of the Commander-in-Chief and War Minister adequate resources for officering the Reserve Forces. It would avoid the error of the Indian staff corps, the organisation of which encumbers the Indian service with more men of high rank than it requires. There may be difficulties in selection, but selection is already the rule for the higher appointments and for any situation connected with staff and administration; with firmness and discretion it could be equally well applied to regimental appointments; and it is equally wanted, for upon the good management of a regiment depends its conduct before the enemy and in quarters, and the happiness of some hundreds of men.

It follows from what we have said, that the military forces in each district, whether Army, Reserves, or Volunteers, would be under the general commanding the districts for all disciplinary purposes. The system of county organisation we have sketched out, and the formation of districts with a distinct staff in each, would enable form and harmony to be given to the united bodies of Militia, Army, and Army Reserves, by assembling them in brigades and divisions. The constituent parts of the national forces should meet and work together, so that the habit of military assembly, or 'coming to call,' should be instilled into all classes.

It may be well here to recapitulate the arrangements we have described for rendering our Reserves efficient. As regards the Militia we propose—

To revert to the system of enrolment for the Militia by ballot, which is the ancient law of the land, and is only suspended from year to year by temporary Acts.

To abolish the authority of lords-lieutenant of counties in the nomination and patronage of a Militia corps, and transfer that authority to the Minister of War.

To preserve the local character of Militia regiments and battalions.

To render the Militia regiments a recruiting ground for the Line.

To place the officers of Militia regiments on a footing according to which from the time of joining such regiments, they should be able to exercise real command and guidance. By these means the Militia will be organised on a principle of national obligation and conscription.

The Line, or regular Army, should be recruited in the Militia ranks yearly, or whenever necessary, in addition to the present mode of recruitment.

Recruits taken from the Militia for the Line regiments should not be under twenty-one years of age.

The Militia Reserve should be abolished.

The Army Reserve should be largely developed, and on no account be less in numbers than the Line corps it is intended to swell in the event of war; with time and experience, it may be brought to exceed the numbers of the first Line.

The regimental depôts should be established in their counties; this measure

to affect regiments at home as well as abroad.

Lastly, we should aim at the fusion or establishment of a *solidarité* between the Militia and the first and second formation of the Line; viz., the short service men with the regiment and the Army Reserve, the regimental depôt being the point of fusion.

In this manner the discord of existing arrangements may be expected to disappear, and the military strength of the country may, by working on certain broad principles, be sufficiently developed for a defensive policy, without pressing too hardly on the population at large, or any portion of it. The conclusions at which we have arrived, although based on different grounds, are substantially the same as those put forward by Lord Elcho; to whom great credit is due for the clear and persistent manner in which he has for years past urged upon successive Governments the adoption of broad principles of defensive policy. We are happy to see that his recent letters to the 'Times' have just been republished, and we must refer our readers to them for many details which it is impossible for us to insert here.

In concluding our remarks on this part of our subject, we would add this reminder. When the Government determined on war in 1854, and for many months after Lord Raglan sailed, it did not occur to them to organise reserves, or to prepare for feeding the army with men to replace casualties. Hence the disasters of 1854–5, and the loss of our military prestige in Europe, when, for want of numbers, the British forces sank into a contingent of the French army. Whatever plans the Government may frame, it must adhere steadily to this; viz., that in future for every man that embarks on active service another should be prepared at the depôt to embark in his place, and this not only in recruits for the regiments but in whole battalions. In such times it is not sufficient that the Militia or Volunteers should be called out, because their duties are limited to home defence proper; and this should not be tampered with as was the case in 1855, when in truth a breach of faith with the Militia was committed, which seriously interfered with their utility in feeding the Line reserve.

Much remains to be said about special arms, and the many details which, if attended to, might add to efficiency without appreciable difference of expense. Thus, in the Artillery, before adding to the number of batteries, and therefore largely to the number of officers, two guns should be added to each battery, which would put it on the strength of an Austrian battery. A battery so augmented would require one additional sub-officer, with a due proportion of men and horses, but officers of high degree would be saved. The like may be said of Cavalry; a regiment does not reach war proportions till a corps consist of four squadrons of 150 sabres each. Although, ultimately, it may be found expedient to reduce the Infantry to a service of three years, with the exception of men sent on foreign service, it will probably be found inexpedient to shorten the period of service in the Cavalry, Artillery, or Engineers to a less period than six years; especially for the latter service, the men in which take rank as highly-skilled artisans. The six years' rule will afford an ample reserve of artillery; and we must not deprive the service of the skill acquired in the first three years of service as soon as gained. It is important to remember that as cavalry soldiers and artillerymen cannot be formed as rapidly as soldiers of the line, these arms ought to be maintained at a higher relative point of strength and efficiency in time of peace than the infantry of an army. The Prussians have rigorously acted upon this principle: we have done just the reverse, and reduced our cavalry regiments to a shadow because they were the most costly.

We have not, however, space to deal with the many details required for improving the regular forces. Mr. Cardwell has already introduced one main reform, viz., a reduction in the period of service; with the introduction of a better class of men through the operation of this measure, in connexion with the superior field for recruiting which the Militia will afford, we may look forward to the extension of industrial occupation among the soldiers in employment in military works and repair of barracks, and other useful work. But this must never interfere with their training for their real duty, War —which should be taught by exercising the troops to some extent in campaigns on the Prussian principle, when the real qualities of officers and men are developed. This system alone calls out the soldier's interest. The difficulty of a soldier's profession is that whilst in war his highest qualities of acuteness and endurance are called out, in peace he feels that all his duty, except that relating to the well-being of the men, is a mere sham.

The troops including reserves and volunteers in each district should be looked after by the staff, under the arrangements sketched out above. Each of the existing districts would contain a very large force of Militia, Yeomanry, Volunteers, and Army reserves to

be provided for and amalgamated with the regiments serving there; consequently the district staff must be rendered efficient, if necessary, by subdividing districts. So that the size of each district should be such that the general officer commanding can look into all the details of the services. The general commanding a district must have absolute military control over all military services in his district, and we are glad to see that recent arrangements made by Mr. Cardwell have tended in this direction.

A very important feature in the district organisation lies in the departments of supply. These departments feed the troops, clothe them, supply them with arms, ammunition, equipment, and general stores; and provide for the sick and wounded. The food, fuel, and clothing is a part of the remuneration of the soldier; formerly he received money pay only and provided for himself; later, a regulated quantity of bread and meat was furnished, for which a portion of pay or stoppage was deducted. The Treasury contracted with private parties to supply the bread and meat to the regiment at its quarters—of a quality to be approved by the commanding officer, upon whose certificate payment was made. This system dispensed with all intermediate staff, and had the advantage of throwing on the regimental officer the duty of looking after his men's supplies. Abroad and in the field, where the troops could not easily procure their own food as in England, a staff of commissariat officers supplied the bread and meat, frequently from bakeries and abattoirs under their own immediate direction. As a means of educating commissariat officers in their duties with an army in the field, Lord Herbert, after the Crimean war, extended the system to this country, built bakeries and abattoirs, and formed a corps of commissariat subordinates, butchers, bakers, &c.

The duties of a commissariat officer are to ascertain the probable wants of the troops, in food, forage, fuel, and such consumable articles, specify them for tender, examine, accept, certify for payment, store them, carry them to the spot where required for use, and distribute them. To reduce the chances of collusion to a minimum, the contract and the payment should be made quite independently of the purchasing department. With an army in the field, the commissariat officer must frequently buy without contract and with ready money; in such an emergency, rules which are necessary as a financial safeguard in peace must be temporarily dispensed with. The commissariat officer requires considerable technical knowledge of foods and their values. When the commissariat departments were under the Treasury, they were at the same time purchasers of food for, and bankers of, the army departments: and consequently they have been required to perform both the duty of supply and financial duties. The recent changes, which we believe to be unsound and extravagantly expensive, have had their origin in the anomalous position thus held by commissariat officers. Whilst the commissariat officer was charged with purchasing articles on the spot, the military store officer was simply the custodian and repairer of those numerous articles which are required for the equipment of an army, and which are not purchased locally but supplied from the manufacturing departments at Woolwich, or from a central store—articles of so complicated a nature, that it requires an apprenticeship to know their names and natures. The duty of the store department in the field was to bring up the reserve munitions, so as to have a depôt always ready at a short distance behind an advancing army. The next duty of the supply department, viz., the care of sick and wounded, differs from the commissariat duties in that it is to supply bedding, clothing, and food ready cooked, which varies in its nature and amount for almost every patient. In the field their duty is to collect the wounded on stretchers and in ambulance waggons and bring them to the field hospitals. This department had been brought to great perfection by Lord Herbert, because he had been satisfied, by the experience of the Crimean war, that the commissariat had such heavy duties in feeding the fighting soldier, that the wounded must always be neglected unless entrusted to the care of a department specially instructed and organised.

In the new department of Control, which embraces these several duties as well as the provision of transport and financial duties, the subordinates of the supply and transport services are interchangeable; so that if each man is to be efficient he must possess a very complete knowledge of points of detail which in practice it takes many years to acquire. We believe the result will be incomplete knowledge and waste. The Controller is to make all purchases, to be the adviser and agent of the officer commanding in all matters connected with raising or issuing money, the supply or purchase of provisions, stores, clothing, and transport, and to relieve the officer commanding of all details connected with these services. 'If the Controller receive orders from the officer commanding inconsistent with regulations, and which have not proceeded from his (the Controller's)

suggestion, and to which he does not agree, he may report the commanding officer to the Secretary of State.' He is in fact placed as a duenna to watch over general officers in one of the most essential parts of their command.

This system is based on complete centralisation. It charges one department with multifarious duties, many of which partake of the nature of specialties, each requiring distinct qualifications. In our opinion, it is contrary to sound principle, in that it places under the same control the entering into contract for supplies, the survey and receipt of the articles, the payment, the custody and issue, the rendering and examination of the account; and it is contrary to economical administration in that its complication must necessarily prevent the direct responsibility for failure or waste being fixed on individuals. We cannot believe that any large commercial firm would place such duties under one single control. In our opinion, the finance and provision of money should be separated from the Supply department. And as regards the work of the Supply department itself, we believe that to overload one department with the duty of supplying *provisions de bouche*, barrack accommodation, ordnance supplies, waggons and horses for carrying all the baggage of the army—all the equipments, munitions, and food, obtaining and holding money, and to provide for the care of the wounded, can never ensure satisfactory results on the field of battle. There success will not be gained by throwing all the duties together; but by keeping each unit self-reliant and responsible for definite duties. Besides, in forming a department to be educated in peace for carrying on the large operations required for feeding an army in war, it should have been recollected that a department of military officers, such as to all intents the control officers are, can never permanently maintain that intimate knowledge of and connexion with trade which enables a great firm to carry out a large business of supply *proprio motu*. The limited experience acquired by such a department at our stations in time of peace is, if anything, antagonistic to the class of proceedings necessary to supply moving armies on a large scale in war. General Trochu shows how the Military Intendance breaks down, starves the army, and finally is obliged to have recourse to the civil unofficial element which has been bred in trade and large commercial transactions. It will be in the recollection of some of our readers that a similar result to that observed by General Trochu with regard to the French arrangements actually took place in the war of 1848–9 in India, when a great Hindoo contractor came to the assistance of the military commissariat, and fed the army in the most successful manner, thereby enabling Lord Gough to complete his operations. Moreover, the control system cannot but fetter the action of the combatant officer in charge of the troops. We fear that it is a system for uneducating general officers in all their functions except mere fighting; for to deprive a general officer of the actual daily contact with the departments of supply under him during his five years' tenure of command, is to forbid him from knowing anything of the detail of the services, their resources, their working, and their difficulties. Nothing is more remarkable in the despatches of the Duke of Wellington, both in India and Spain, as well as in those of Napoleon, than the consummate knowledge and minute attention those great generals displayed in all that relates to the food, transport, and clothing of their armies. They very well knew that these are the first conditions of success in war, and a good general *must never lose sight of them*. But this new system, instead of preparing an officer for real service, must render him, if not helpless, yet wholly dependent on another for feeding, moving, and supplying his army. Such arrangements are destructive of due responsibility. In the field a General can alone be the judge of what is necessary for the safety of the troops; if the General orders an expenditure not contemplated by regulation, and the Controller objects to it, the expenditure must yet be incurred on the responsibility of the General. The proportions of equipment or provisions to be issued to the troops or maintained as a reserve are all matters capable of being fixed by regulations; purchases and issues can be efficiently checked by a careful audit; the responsibility is incurred on a departure from regulation. Sound organisation would place such responsibility entirely on the person on whom it must rest in the last resort, viz. the General who is answerable for the safety of the troops. Moreover, we fear that in practice it must act in one of two ways; either the Controller will be the instrument of the general officer, who, relieved of personal responsibility, will make the Controller do things which he, the general officer, would not do if he were personally responsible; or the Controller will be antagonistic to the general officer commanding, and discord and opposition will prevail throughout the command.

We believe it is indispensable to efficiency that the general officer commanding at each station should be the only controller, and to

economy that the finance department should be subordinate to no officer but the Minister to whom the House of Commons entrusts the expenditure of the money voted for the service of the army; and that for the provision and supply of money, to be issued only on due authority, local civilian financial officers, treasurers, or accountants should be appointed at all stations, who would give due security and be educated in duties of accounts; these should be distinct from the departments of supply, which under the present organisation are manned by enlisted men and commissioned officers.

We shall take the liberty to close our observations on this part of the subject by repeating a description of the decentralised arrangements of the Prussian army which appeared not long ago in our own pages:—

'The corps supplies all its own wants as a whole direct from the War Office, but distributes and checks the supplies so received within itself, being (except as to filling up of its depôts) regarded as its own war administration and responsible for its own doings. . . .

'This decentralisation is carried further within the corps itself, and the transport is divided especially so that no one branch shall be dependent on any outside authority. This subdivision has been condemned as complicated and needlessly expensive. But the Prussian authorities hold that an army is above all intended for war, and that the machinery of that which is to be effective should be maintained intact in its framework in time of peace. Carriages of themselves cost little to keep up. Horses, on the contrary, must under any system be brought up for transport in time of war; but the only way in the Prussian view by which each department can be made thoroughly responsible for its own efficiency, and taught to vie with others in readiness for action, is to hand over to it all the rest of the machinery which would be needed to equip it for the field, and thus prepare it for independent action as soon as the call sounds to arms.

'As a consequence of this system it no doubt at some time happens that a particular corps or column or department may have a superfluity of supplies, but, on the other hand, delay at the outset to wait for issue of necessaries from distant stores is prevented. There is no excuse for failure. The Prussian system enlists on its side the motive of emulation in each general in each department and each regimental commander. The opposite system takes from these officers a large share of their responsibility to throw it upon a special class of men trained in peace to raise objections to every demand, and blamed in war if their minds do not instantly rise to the full necessities of the occasion.'

The limited space at our command will only allow us to remark briefly upon the important question of the government of the army. Mr. Clode has given us a very caustic account of it in his twenty-ninth chapter, which deserves the careful consideration of statesmen. We cannot agree with him in regretting much that is destroyed, denouncing all that exists, and dreading all that is to come; but we admit with him, for the reasons we are about to give, that the present government of the army is unsatisfactory both in an executive and in a constitutional point of view. Upon the accession of the present Ministry to office, Mr. Cardwell appointed a Committee to advise him generally upon this subject in connexion with that of the organisation of the War Office and Horse Guards. The Committee, in their Report, disclaim any intention of dealing with the constitutional question of the position of the Commander-in-Chief in relation to the Secretary of State; but if all their recommendations are adopted, we cannot but think that his position would be materially affected. The Committee, in their Report, divide the army services under three heads—Discipline, Supply, and Finance; or, as we should put it, the fighters, the suppliers, and the accountants, or guardians of public money. They propose to bring the officer Commanding-in-Chief under the same roof as the Secretary of State, and to appoint two Members of the House of Commons, one as Financial officer and the other as head of the Supply branch, and apparently to endow the latter also with some amount of financial control. These recommendations were embodied in an Act passed last session, which created two new offices; one the Financial office referred to, the other the office of Surveyor-General of Ordnance. Both officers are appointed by the Secretary of State, and are subject to removal by him, and both may hold seats in Parliament.

The Master-General of the Ordnance, a Cabinet Minister, who was always a great soldier, was charged by the Crown with providing arms and munitions, fortifications and barracks, and in virtue of his military and technical knowledge he was the arbiter of the nature and quality of arms and military equipment to be adopted in the service. As he was frequently in the Cabinet, it followed that there was in his person a military man of high rank among the confidential servants of the Crown—a very essential element of a good Government, which does not now exist. There was also another member of the Board of Ordnance, an officer of state, appointed by the Crown, under the Great Seal—viz. the Surveyor-General of the Ordnance. He was invariably a Member of the House of Commons. The duties of this officer were to examine estimates for bar-

racks and fortifications, to survey and certify stores before payment, to check the returns of employment of workmen in the Store, Manufacturing, and Engineer Departments. He was thus an auditor of material things directly appointed by the Crown, and responsible to Parliament. The present office of Surveyor-General replaces the late office of Controller-in-Chief. His duty is to contract for, purchase, manufacture, and distribute stores; to allot all barracks and accommodation for troops; and to provide all transport for an army; he is also to audit all expenditure relating to his own department; that expenditure being examined in the department itself. He is not an officer of state appointed by the Crown, like the former officer under the Board of Ordnance, but he is merely a clerk or servant of the Secretary of State, by whom he is removable at pleasure. We believe that these arrangements are unsound. They appear to be based on the following sentence in the Report of the Committee—viz., 'The modern notion of financial control means the union of finance and administration;' and, as a consequence, 'now we possess a Secretary of State, the duties of checking and watching expenditure ought no longer to be accepted as necessary.' In simple language this means that the constitutional checks upon expenditure heretofore considered necessary are no longer required.

Prior to William III.'s reign—to the Revolution of 1688—finance and administration were united, and the same union will be found in every despotism or absolute monarchy. The union is not incidental to our possessing a Secretary of State, but to a confusion between the nature and objects of a limited monarchy and of a constitutional government. The most elementary knowledge of Hallam's History would satisfy any reader, and every tyro in politics knows, that the very essence of constitutional government consists, as Mr. Fox said, in 'checks, and in opposition—one part bearing upon and controlling another.' Lord Palmerston, in his evidence before the Finance Committee of 1828, remarked: 'The principle upon which the public service has been constructed has been to make one department a check and control upon another, and not to leave it in the power of any one department to make an unlimited issue of public money; making one department the judge of the amount to be issued and the giver of the authority to make the issue, and to make another department the depository of the money, and lay on it the duty of issuing according to the authority it may receive.'

It is, indeed, incontestable that the main reason why it is rare to find a breach of trust in persons entrusted with the expenditure of Government money in this country lies in the checks and control by which the provision of public money is encircled. But in the recent arrangements of the War Office the one object which Parliament has always had in view—viz. strictly independent audit—appears to be abandoned.

Moreover, the appointment of Surveyor-General of Ordnance would appear eminently to create a dual government. The responsible military and technical adviser by whom the Secretary of State must be guided in the last resort, either in selecting weapons or in deciding upon the quantities of equipments or munitions necessary to be maintained for the defence of the kingdom, or in the choice of fortified positions, is the officer commanding-in-chief, who ought to be the officer of highest military experience in the country, and who, at any rate, has at his command the best military advice; yet the Surveyor-General of Ordnance, a military officer, not under the officer commanding-in-chief, is interposed as adviser of the Secretary of State, without the responsibility as to efficiency which attaches to the former officer.

It is not apparent upon what principle the new Surveyor-General is to be a Parliamentary officer. The proper performance of the duties which have been assigned to the office requires a rare amount of scientific and professional knowledge, as well as an intimate acquaintance with the character and antecedents of the subordinates of the department; and nothing could be more detrimental to the service than for the chief of a department of this nature to be subject to removal from political motives. Moreover the only object in such a department of appointing a parliamentary officer can be to give him charge of Finance; but the Financial officer of the department, if his position is to be of any service, should have sole charge of army finance under the Secretary of State. We have already mentioned that the Surveyor-General is charged with some financial functions; it is therefore difficult to see how the duality which will pervade the financial business of the department under the duties assigned to the Surveyor-General and the Financial officer can work satisfactorily.

The position proposed to be assigned to the Commander-in-Chief under the report of the Committee is even more questionable. Under the British Constitution the command and discipline of the army are vested in an officer who holds directly from the Crown. For the regulation of the discipline, promotion, and selection of officers and men for

service, and the general management of the army, it is essential that the Commander-in-Chief should be an officer possessing the highest professional skill and knowledge, and with a fixed tenure of office. It is, moreover, essential that he should be assisted by a staff of the ablest officers in the army. The Committee would place him under the same roof as the Secretary of State, and merge his office into that of the Secretary of State by abolishing all separation of documents.

In despotic Governments, where Parliamentary control is absent, finance and administration are united; the War Minister and Commander-in-Chief are merged in one person, who is responsible to the Sovereign for efficiency and expenditure; but under our system the powers of the Crown and of Parliament were formerly distributed in the hands of several officers and ministers each responsible for his share, but subordinate to the Cabinet. The Commander-in-Chief was separate from and only financially subordinate to the Parliamentary Minister.

The arrangement now proposed for bringing into one office the Secretary of State and the Commander-in-Chief—a measure nominally framed for facilitating the transaction of business—must, as two persons in one office cannot be equal, place the Commander-in-Chief in subordination to the Secretary of State; it will diminish the *éclat* of the position of the Commander-in-Chief in the eyes of the army and of the outside world, but except in the at present very rare case of our possessing a really able Secretary of State, it will give him almost absolute power, freed from responsibility, to rule the Secretary of State by his superior knowledge of those details which make up army administration and expenditure. Facilities in the transaction of business can only be obtained by preserving the true line of demarcation between the functions of the several departments—not by collecting them in one building. The difficulties of the present War Department have arisen solely from the want of a clear conception in the minds of its originators as to the proper functions and duties of each of the departments then brought together. Under the arrangements now proposed of merging into one office the civil and military organization of the army, the easy transaction of business will only be attained by the sacrifice of those checks and controls in army administration which our constitution has established, and the removal of which must leave the executive officer the Commander-in-Chief supreme. Once place side by side the Commander-in-Chief with his military staff, and the Secretary of State with his clerks, and as one or the other, according to the theory of the report in which this plan is proposed, must act exclusively, i. e. without control, the army and Commander-in-Chief will prevail in the end.

We would, therefore, earnestly entreat Parliament to consider how, while devising means to extent and improve the military instruction and liabilities of our population for the purpose of protecting this country against calamities such as those from which our neighbour is suffering, we may be enabled to retain those constitutional checks which have hitherto prevented the military power from becoming supreme, as it has become in Prussia.

We must not forget that the system under which the army has been officered is a material guarantee against military supremacy. So long as the purchase system exists, a large number of men enter the army for a pastime or a young man's education, who do not look on it as a profession, and whose interest in the civilian community are greater than their interests in the profession they have temporarily joined. But when once purchase is abolished the army will be officered by men who look to it as their sole object in life; it will possess their warmest interest; they will endeavor to exalt it on every occasion. If we are to have an efficient army, we must make it purely professional; but if we have a professional army we must take the greater care to keep up those safeguards against military supremacy which our ancestors have handed down to us. The supremacy of a class would develope itself gradually, first by gaining the monopoly of power in all matters connected with its own class, and after having established this supremacy, by extending the influence of its own class into other departments of the State. Such was the course of the Church in the Middle Ages; such is practically the case under the pretended constitution of Prussia, in which the representatives of the people are in fact completely in the power of the chiefs of the army.

This supremacy may be exercised against the public treasure and the constitutional functions of civil Ministers, either through Parliament and the constituencies or through the Minister and his bureau. Parliament has endeavoured to guard against the first method of encroachment, viz. at elections, by prohibiting the presence of soldiers in a town at such times, except on a special call from the civil power; and until a period subsequent to the Crimean war the national jealousy felt towards the army furnished a protection against the second. But now the War Department is managed by a bureau-

cracy of soldiers; and the care of the public treasure has passed more under the control of the military than before the Crimean war, and the civil supremacy has declined. We have shown in an earlier part of this article that hitherto the financial result of this increased military control has been to add largely to the expense of those material allowances which assist in making up for the small money pay of officers and men; and under the new constitution of the War Office military control over public treasure will be materially increased. It is the function of the Crown to ask for supplies, but the Crown is guided in the demand it makes by its responsible Ministers. In the case of army supplies, the Secretary of State is the *only* responsible Minister; he is overwhelmed with work, and his acts must be those of his permanent staff, which is military rather than civil, and is therefore open to distrust both in respect of expenditure and audit. As to expenditure, because the military officer owes allegiance to the Crown and *not* to Parliament, whilst allegiance for all expenditure ought to be due to Parliament only; but commissioned officers whose allegiance is due to the Crown alone, are appointed to take charge of public treasure. As to audit, because the one object Parliament has always had in view is a strictly independent audit; but by the constitution of the War Office, namely, as a Military Department, charged with the detailed audit of its own accounts, independent audit is at an end.*

The changes recently made and those proposed are remarkable in their constitutional aspect. The creation of the Control Department, built up of military officers in charge of treasure, is incompatible with our Parliamentary system. The proposal to bring the Commander-in-Chief and his staff to the War Department, merged into one office with, and therefore subordinate to, the Secretary of State, would, whilst the present holders retain office, only intensify military supremacy, and on their retirement place the patronage of the army in the hands of the Commons. Between the responsible and executive Ministers would not *all* security be lost? Who would dare to impeach or censure a Minister upheld by the army, and how dare *one* Minister act against its prejudices or its interests in the face of a Military Board of Coadjutors? May we not add in the words of Mr. Clode—'To abrogate our constitutional safeguards leads to revolution, to weaken them leads to danger.'

The true function of the Secretary of State for War under the British Constitution is that of Control as distinct from Command; the former function is civil and appertains to a Parliamentary officer, the latter is military and technical. From the want in the minds of the reorganisers of our army departments of a clear appreciation of the true constitutional position which the Secretary of State for War should occupy, in regard to the army, the friction and extravagance in the administration of the War Office and Horse Guards has arisen; and it is alone by a rigid adherence to the broad line of demarcation between the functions of the Secretary of State and the Commander-in-Chief which we have laid down that the difficulties will vanish.

We have felt it the more incumbent upon us to draw attention to the conclusions of the Committee upon whose recommendations the recent changes in the government of the army have been made, because the conduct of the War Minister in one recent instance at least appears to show a forgetfulness of constitutional procedure in Parliament. The practice pursued by the Cabinet on any augmentation of the force is within the knowledge of most members of any parliamentary experience, and from the reign of William III. it has been uniform. The policy of the Crown and of the Cabinet is communicated to both Houses by a Message setting forth the causes calling for an augmentation of our land and sea forces. On this policy each House by an Address to the Crown has an opportunity of debate. Assuming the policy to be approved, and the augmentation to be assented to, the Ministers then, but not till then, submit an estimate to or ask for a vote of credit from the Commons. By following such a course, Parliament has a free opportunity for discussion. But this was not the course taken by Ministers at the end of last session. In the absence of any definite statement of policy, Mr. Disraeli opened one or two somewhat irregular discussions on War and Foreign Affairs in the House of Commons, while Lord Russell, quite against the Ministers' wishes, introduced a Militia Bill, in order to give their Lordships an opportunity of learning what the Cabinet proposed to do for putting the country on a proper footing of defence. After these irregular proceed-

* The Abyssinian expedition, though marked by a prompt and brilliant success which does great honor to its commanders, was, in a financial point of view, a very novel and dangerous precedent; for it was the first time that a British army took the field freed from all Parliamentary control over its expenditure. Extraordinary and unlimited powers were given to Lord Napier of Magdala, unchecked either by the Government at home or by the Indian Government; and nothing remained in the end but for the British taxpayer to pay the bill.

ings in both Houses, Mr. Cardwell brought in an estimate for 20,000 men to be laid on the table of the House of Commons, upon which the House of Lords never had an opportunity for expressing its opinion at all.

The subject with which we have undertaken to deal is too vast to be thoroughly examined in the limits of this Article. It involves not only the safety of the realm from foreign enemies, but the preservation of the fundamental principles of our Constitution, and with them our liberties. It is the most important question which at the present time can occupy the attention of statesmen; but we regret to see that the present Government do not appear hitherto to have understood its full importance, inasmuch as they have accepted the conclusions of a committee of subordinate officers upon matters vital to the government of the army, whose report only gives evidence of this, that these officers have failed to apprehend the constitutional principles upon which our army system has hitherto rested—principles laid down by great statesmen, and approved by great generals. These are, we venture with some confidence to affirm, doctrines which the Whig party has contended for the last hundred and seventy years; and although we ardently desire to see the organisation of the army placed on a far more efficient and popular footing, there is no reason to purchase that advantage by a sacrifice of any of the constitutional checks which have been placed upon the administration and command of her Majesty's forces.

Art. IX.—1. *The Earthly Paradise.* By William Morris. Parts I.—IV. London: 1869–70.

2. *The Life and Death of Jason.* A Poem. By William Morris. London: 1868.

Not many men have been more richly endowed with the gift of song than the author of the beautiful poems which are here woven together as a garland of flowers gathered in an earthly Paradise. Not many poets have so successfully schooled themselves to rest content with the mere appearances of things; and hence it is that, while he professes to seek only to draw forth sweet music from a harp which could scarcely be swept by more skilful fingers, he has succeeded in impressing on all his utterances the character of the philosophy, which regards the outward aspect of things as all that may be known about them. This success he has achieved, not by any efforts to fathom the depths and measure the varying currents of human thought. His purpose is rather to watch the movements or the calms on the surface of the waters, without an answer to the question of that inner life which dwells beneath it. Thus while his words flow on in streams soft as any which might come from the lyre of Hermes or the reed of Pan, they carry with them the burden of a strange weariness and sadness.

In truth, the exquisite simplicity and grace of Mr. Morris's poems are the fruit of consummate art and skill. The subjects which he has chosen are with few exceptions subjects which have been already handled by the Homeric and Orphic poets, by Pindar and Stesichorus, by Sophocles and Euripides. They are, in other words, the stories with which the bards of the Greek heroic age charmed their countrymen, and which in the hands of the tragic and lyric poets were made vehicles of the highest lessons of political or ethical wisdom, or means of imparting the purest and most intense delight. These stories Mr. Morris has told again, professedly with the latter of these two purposes only. He speaks of himself emphatically as 'the idle singer of an empty day;' and, as we read tale after tale, it would be vain to attribute to him the fixed design by which Mr. Tennyson has worked the several parts of the Arthurian story into one magnificent whole. But as our thoughts rest on the Medea and Alcestis of Mr. Morris, we cannot banish from our minds the images of the Medea and Alcestis of Euripides, and we are led to contrast the atmosphere in which these creatures of Greek imagination move, with that in which the same forms are exhibited to us by the modern poet. Probably none have sought more earnestly to relate these stories simply as stories, and certainly none have imparted to them a more touching charm. The Arthur of Mr. Tennyson is manifestly the embodiment of the highest Christian chivalry, and the Prometheus of Shelley is the man who strives against injustice and wrong in all ages and in all countries; these poems may therefore be regarded from a point of view lofty and immutable. Mr. Morris's tales can be submitted to no such criticism. They are put before us as 'murmuring rhymes;' insensibility to their delightful melodies would argue a strange coldness to versification. Yet, while we give up ourselves to the spell of the enchanter as at the waving of his wand the scenes change and each creation of his plastic power comes before us, it is impossible to rest under it. It may not be fair to compare a poet with other poets,

but it can scarcely be unfair to compare him with himself; and if Mr. Morris's purpose has been only to charm away the hours when 'feeling kindly unto all the earth,' we

'Grudge every minute as it passes by,
Made the more mindful that the sweet days die,'

we cannot help marking the signs which seem to show the channel in which the thoughts of the poet have been running, or sometimes pausing to reflect how far it may be wise to follow in the same path.

The melody of Mr. Morris's verse is so sweet, the movement so smooth, that we care as little to assume the attitude of critics towards these poems as to analyse our feelings while we watch the light playing on calm waters beneath a cloudless summer sky. Some flaws may doubtless be found—a few false rhymes, a few sentences which differ from prose only in the recurrence of the same sound at the end of each couplet, and, more frequently, a certain ruggedness and faultiness of scanning. With Mr. Morris, 'real' is invariably a monosyllable, and 'really' a dissyllable. But we need not give instances of defects which, after all, are little more than the purposed discords of the musician. While we accompany Mr. Morris we roam through an enchanted land; and we are too much contented with the beauty of the scenes before us to dwell on the neutral tints or the few unshapely objects which in no way mar their loveliness.

The tales related in the 'Earthly Paradise' are strung together on a very simple framework. The horrors of a wasting plague at Micklegarth give strength and shape to the vague dreams of a happier land far away to the West, with which some of its people had been wont to solace themselves while serving among the Varangian guards at Byzantium; and the learned squire Nicholas, whose betrothed is ready to follow him over the world, makes a vow with the Swabian Lawrence and others, that they will at once set out and never give up their search for this land,

'Till death or life have set their hearts at rest.'

In the English Channel they fall in with the fleet of Edward III. and the Black Prince, who gives them some lines of writing, lest they should find it hard to deal with some of his people

'who pass not for a word
Whate'er they deem may hold a hostile sword.'

But the story of the voyage, until they descry a new land, differs little, if at all, from the story of Columbus and his men, or of others who have wandered through unknown seas led on chiefly by their hopes and fancies. It is the old tale of eager anticipation and wild enjoyment, followed by blank depression and dismay; but when, after surmounting dangers not less terrible than those which Ulysses encountered in the land of the Læstrygonians or the dwelling of Circe, after escaping from an ocean of misery, in which they had grown to be like devils and learnt what man sinks to

'When every pleasure from his life is gone,'

they come at last to a land where the simple folk, taking them to be gods, treat them as kings, we may well doubt whether the insane yearning for an earthly home where there is no death can live on in the hearts of men who had already numbered their threescore years and ten. But this passion to escape from Death is the burden of Mr. Morris's poems. From the Prologue to the Epilogue of the 'Earthly Paradise,' which concludes the fourth and last part, his ancient mariners are described as men who

'deemed all life accurst
By that cold overshadowing threat—the end.'

If the delights of a life not without some likeness to that of the Lotos-eaters still left, as it might well leave, them dissatisfied, the longing would surely be rather for the old home, where they might once again hear the old familiar speech. But though after a time their life seemed to them once more 'trivial, poor, and vain,' not a thought is given to Norway; and the one desire is still to find the country where the old may become young again, and the young may not die. They would be fools and victims, and the veiled prophet was not wanting to lure them on to their destruction. From the horrible captivity which follows they escape at last, only to see their numbers dwindle quickly away from sickness of body and mind, until Nicholas, the most learned and the most besotted of them all, dies and is left beneath the trees upon the nameless shore, and the scanty remnant is at length brought to a shining city in a distant sea, where they hear not the language of Norway, but the softer sounds of that Greek tongue to which they had listened long ago in Byzantium. Here, kindly welcomed by the grey-haired elders, they feel that their earthly wanderings are done, and their journey to the grave must now be

'like those days of later autumn-tide,
When he who in some town may chance to bide
Opens the window for the balmy air,
And seeing the golden hazy sky so fair,

And from some city garden hearing still
The wheeling rooks the air with music fill,
Sweet hopeful music, thinketh, Is this spring,
Surely the year can scarce be perishing?
But then he leaves the clamour of the town,
And sees the withered scanty leaves fall down,
The half-ploughed field, the flowerless garden-plot,
The dark full stream by summer long forgot,
The tangled hedges where relaxed and dead
And twining plants their withered berries shed,
And feels therewith the treachery of the sun,
And knows the pleasant time is well-nigh done.'

This mournful sound of autumn-tide runs as a keynote through all the tales which the city elders and these storm-tossed men relate to each other, and which are here woven into the chaplet of the 'Earthly Paradise.' They may be tales which tell of high hopes and heroic deeds; they may paint the joys of the young and the mighty achievements of fearless men; but the shadow of death is on these 'murmuring rhymes' which

'Beat with light wing against the ivory gate,
Telling a tale not too importunate
To those who in the sleepy region stay;'

and the touch of the very fingers of death alone stirs within us whatever sense of life there may be left. If it be hard to say whether the music of Mr. Morris's song carries with it more of pleasure than of pain, the pleasure must at the least be that of men who sit at the banquet-table in the presence of the veiled skeleton, and the enjoyment that of the youth who is bidden to rejoice because all is vanity and vexation of spirit, and because the hour will soon come when the bowl shall be broken at the fountain. That 'the idle singer of an empty day,' who has here woven together some blossoms which lay before his footsteps 'in a flowery land, fair beyond words,'

'Not plucked by him, not overfresh or bright,'

has given us melodies of exquisite sweetness, it would be mere ingratitude to deny; but the music of this Earthly Paradise is mournful because it is so earthly. Whether the tale be that of Perseus victorious over every enemy who seeks to bar his way, or of Alcestis going forth in all the freshness of youth to the dark land whither her husband should have gone, or of Ogier the Dane, who rises from his charmed sleep to strike a blow for the land where the great Karl had reigned; whether it be the legend of Jason turning deliberately from the old love to the new, or of Psyche toiling on with the very sickness of hope deferred in her search for the glorious being on whom her eyes had but for one moment rested, there is everywhere the same thought that gladness is only gladness because it is dogged by decay and change. The lesson may be true; but the penalty for the iteration of it is a monotony which disposes rather for drowsiness than enjoyment; and the words by which it is enforced leave on the mind the impression of a faith altogether less hopeful than that of the poets who told these tales long ago in their old land, and of whom we are wont to speak as heathens.

The truth is that Mr. Morris never cares to lift his eyes from the earth, except to the visible heaven in which we may see the glories of dawn and sunset; and only on this earth and under this heaven is there any real hope and any real joy for man. For the agonies involved in the constant flux and reflux of human affairs the only remedy lies in the 'crucible of time,'

'that tempers all things well,
That worketh pleasure out of pain,
And out of ruin golden gain.'

But for the individual man the language of the poet throughout is not only that of resignation to a doom of absolute extinction after a short sojourn here, but of the philosophy which makes this extinction the one justification of merriment. The cornel-wood image stands in the city of Rome

'For twice a hundred years and ten,
While many a band of striving men
Were driven betwixt woe and mirth
Swiftly across the weary earth,
From nothing unto dark nothing;'

and the fact that a log of wood will last

'While many a life of man goes past,
And all is over in short space,'

is a reason for not fearing what any son of man can do, and for being

'merry while we may,
For men much quicker pass away'

than the tablet on which a tale is written. It is true that it is a wicked sorcerer who asks

'who knoweth certainly
What haps to us when we are dead?'

and answers

'Truly, I think, by likelihood,
Nought haps to us of good or bad.
Therefore on earth will I be glad
A short space, free from hope or fear.'

But everywhere the signs are manifest that to the mind of the poet the future presents the same utter blank, and that life is not merely a mystery but an unsubstantial and

wearisome dream. This is the cold comfort administered by Phœbus Apollo to Admetus, when he tells him

'The times change, and I can see a day,
When all thy happiness shall fade away.
And yet be merry. Strive not with the end,
Thou canst not change it;

and when the end comes, it swallows up the thought of all other things. Trust or reliance in a loving Father, or even in a guiding Mind, there had been none; and with the fading away of hope the last props give way,

'When death comes to stare
Full in men's faces and the truth lays bare,
How can we then have wish for anything
But unto life that gives us all to cling?'

Hence, although great things are said of the power of love, it is not easy to think of a love stronger than death. Love is bounded by the limits of time, and derives its strength from the certainty of coming separation which shall last for ever. In the words of Admetus to Alcestis,

'O love, a little time we have been one,
And if we now are twain, weep not therefore;'

or of Cupid to Psyche,

'Time will go
Over thine head, and thou mayest mingle yet
The bitter and the sweet, nor quite forget,
Nor quite remember, till those things shall seem
The wavering memory of a lovely dream.'

There is nothing solid, nothing real anywhere; and life itself is but a mirage which lasts a little longer than the mocking paradise of the desert. It is not here and there only that the same chords are struck. The one burden runs through all. We have it in the beautiful song in Ogier the Dane:—

'By the white-flowered hawthorn brake,
Love, be merry for my sake;
Twine the blossoms in my hair,
Kiss me where I am most fair;
Kiss me, love, for who knoweth
What thing cometh after death?'

The placid resignation of the lover passes into something like the impassiveness of the mystic:—

'Shall we weep for a dead day,
Or set sorrow in our way?
Hidden by my golden hair,
Wilt thou weep that sweet days wear?
Kiss me, love, for who knoweth
What thing cometh after death?'

Rejoicing in the love of the Icelander Kiartan, the beautiful sister of the Norwegian Olaf still casts not away

'From out her heart thought of the coming day,
When all should be as it had never been,
And the wild sea should roll its waves between
His grey eyes and her weary useless tears;'

and the same lesson is preached still more pointedly when Perseus rescues Andromeda from the dragon:—

'Love while ye may; if twain grow into one,
'Tis for a little while: the time goes by,
No hatred 'twixt the pair of friends doth lie,
No troubles break their hearts,—and yet, and yet—
How could it be? we strove not to forget;
Rather in vain to that old time we clung,
Its hopes and wishes round our hearts we hung;
We played old parts, we used old names,—in vain,
We go our ways, and twain once more are twain;
Let pass,—at latest when we come to die,
Then shall the fashion of the world go by.'

This cold consolation, couched in words whose music is sweet as that of a dream, is introduced somewhat gratuitously into a myth which, unlike those of Phœbus, Theseus, Dionysos, Heracles, or Jason, knows nothing of inconstancy or forgetfulness. From first to last Perseus is bent on avenging his mother's wrong; and with him Danaê returns in glory to the land from which she had been cast forth with her babe into the unpitying sea. From first to last his love is given unvaryingly to the maiden whom he had rescued on the Libyan sands from the jaws of the merciless monster.

How thoroughly the same strain pervades these poems we may see by comparing almost any one portion of them with another. When Jason, in the full exultation of early manhood, undertakes the quest of the Golden Fleece, he still thought

'When sixty years are gone at most,
Then will all pleasure and all pain be lost,
Although my name indeed be cast about
From hill to temple, amid song and shout,
So let me now be merry with the best.'

When, at the beginning of March, the poet rejoices in the outburst of a new spring, he asks

'Ah! what begetteth all this storm of bliss,
But death himself, who, crying solemnly
E'en from the heart of sweet forgetfulness,
Bids us, "Rejoice, lest pleasureless ye die;
Within a little time must ye go by.
Stretch forth your open hands, and while ye live
Take all the gifts that death and life may give."'

It is the old maxim, 'Let us eat and drink, for to-morrow we die.' Hence, although

almost every story is a tale of love, whether happy or unrequited, all exhibit the same type. In each case it is the armed Eros who pierces his victim, and holds him as the captive of his bow and spear. If we have ecstatic unions and unimaginable bliss, this joy is the fruit of a glance or a touch. The love, in short, is both sudden and physical; and we look in vain for anything more. While Medea, at her father's bidding, is telling Jason of the perils to be surmounted before he can win the Golden Fleece,

'Love came unseen, and cast his golden yoke
About them both, and sweeter her voice grew
And softer ever, as betwixt them flew
With fluttering wings the new-born strong desire;'

and, when coming to offer him her aid in the quest, she expresses her dread of the wrath of Æetes after the departure of the Argonauts, the words rush to the lips of Jason,

'By this unseen delight
Of thy fair body, may I rather burn,
Nor may the flame die ever, if I turn
Back to my hollow ship, and leave thee here,
Who in one minute art become so dear,
Thy limbs so longed for, that at last I know
Why men have been content to suffer woe
Past telling, if the gods but granted this
A little while such lips as thine to kiss,
A little while to drink such deep delight.'

So is it again when, sated with the exacting love of the wise Colchian woman, Jason first sees the brilliant Glauce. No sooner have her fingers touched his than he forgets

'all the joys that he had ever known;
And when her hand left his hand with the ring
Still in the palm, like some lost stricken thing
He stood and stared, as from his eyes she passed;
And from that hour all fear away was cast,
All memory of the past time, all regret
For days that did those changèd days beget;
And there withal adown the wind he flung
The love whereon his yearning heart once hung.'

So is it with Accontius when first he sees the Delian maiden whom he is to win as his bride:—

'Then standing there in mazed wise,
He saw the black-heart tulips bow
Before her knees, as wavering now
A half-step unto him she made,
With a glad cry, though half afraid,
He stretched his arms out, and the twain
E'en at the birth of love's great pain,
Each unto each so nigh were grown,
That little lacked to make them one,
That little lacked that they should be
Wedded that hour, knee touching knee,
Cheek laid to cheek.'

So, again, when, in the story of the Lovers of Gudrun, Thorgerd, Kiartan's sister, seeks to excite his love for Refna, she can think of no other way of attaining her end than by saying

'if I were a man, not old or wise,
Methinks I should remember wide grey eyes,
Lips like a scarlet thread, skin lily white,
Round chin, smooth brow 'neath the dark hair's delight,
Fair neck, slim hands, and dainty limbs well hid,
Since unto most of men doth fate forbid
To hold them as their own.'

In all this there is not much in harmony with the thought and feelings, perhaps even with the ethics, of our own day; and, as we are compelled in some degree to measure humanity by our own standard, we may fairly say that such words as these possess no great human interest. It is for this reason that although Mr. Morris is already one of the most voluminous of poets, and has a marvellous power of imagery and diction, we question whether his works will attain great popularity or pass to lasting fame. They lack entirely the divine element, which touches in its power the human heart, and makes the poet, like itself, immortal. Yet of all the old stories which Mr. Morris has related again in the 'Earthly Paradise,' and not a few of which may be resolved even into grotesque absurdities, there is probably not one which fails to exercise over us an indescribable fascination. They are tales which have been told for ages on ages in almost every land, and on which have been built the great fabrics of the epic and tragic poets of old time. They are tales which mingle possible events with things impossible, and exhibit characters which we can conceive as those of real men by the side of others which must be to us simply unmeaning. But, although the possible and the impossible elements of the story are so mingled together that no attempt to separate or decompose them can be successful, we cannot say that our interest is excited only by the words and deeds of those who are manifestly represented as of our own flesh and blood, and not at all by the joys and sufferings of beings who, if they have any existence, belong to another sphere of life. We do feel moved by the sorrow of Zeus when he mourns that Sarpedon, his bright and beautiful child, must die; and we smile no smile of contempt when the poet tells us how the tears, great as drops of blood, fell from the sky when the brave Lycian chieftain was smitten by the spear of Patroclos, how Phœbus bathed the body in the stream of Simoeis, and how, as the first flush of dawn lit up the sky, the Powers of Sleep and Death laid him

on the threshold of his Eastern home nigh to the banks of the golden river. We can feel the woes of Psyche, as she wanders on in all but hopeless misery in her search for the beautiful being whom her envious sisters had slandered to her as an unsightly monster; and if the story of Aphroditê weeping for the lovely Adonis done to death by the wild-boar's tusk be too sensuous for northern taste, no such flaw mars the pathos of the tales which tell us how Baldur and the heroic Helgis, smitten down in the fulness of youth and beauty, rise again to a renewed life and strength which should never waste away. But, if we would raise our enjoyment of these stories to the highest point, we must take them simply as they are. Any attempts to define sharply the boundaries which separate the human from the divine are as wise as the efforts of the man who might think to heighten the butterfly's beauty by brushing the down from its wings.

There can be no doubt that the attempt to treat the actors in the old tales as specimens of human character has done much towards blinding us to the real beauty of the tales themselves, and that this attempt in the case of legends which we are in the habit of regarding as nearer to our time and as framed by men whose thoughts were more akin to our own, can be made only at the cost of more or less serious moral mischief. Mr. Morris is well aware of this, and he is careful before beginning some of his stories to warn us that they are dreams and no histories of men who ever lived; but he touches on doubtful ground when he adds—

> 'Yet as in dreams
> Of known things still we dream, whatever gleams
> Of unknown light may make them strange, so here
> Our dreamland story holdeth such things dear,
> And such things loathed, as we do: else, indeed,
> Were all its marvels nought to help our need.'

If we follow the beautiful rhymes in which 'the idle singer of an empty day' introduces us to his fairy garden, we must believe that we have no needs to help; but if we have, then it may fairly be doubted whether some or any of the poet's legends will stand the test which he has himself laid down. Taken in its bare outlines, few myths are more repulsive than that of the maiden, who stakes her person on the issue of a race in which the penalty for the unsuccessful lover is instant death by the headsman's axe, and who day by day sees human blood poured out with eyes unmoved and heart untroubled. Nor can the magic of the poet's verse at all reconcile us to the thought of the pitiless being who, armed with superhuman powers, can see brave men die for her sake, until one comes who wins her only because he has the special aid of a god. It is of little use to tell us of her beauty as, standing at the starting-post,

> 'She seemed all earthly matters to forget,
> Of all tormenting lines her face was clear;
> Her wide grey eyes upon the goal were set,
> Calm and unmoved as though no soul were near;'

Or again how, when she had reached the goal, she stood

> 'breathing like a little child
> Amid some warlike clamour laid asleep,
> For no victorious joy her red lips smiled,
> Her cheek its wonted freshness did but keep:
> No glance lit up her clear grey eyes and deep,
> Though some divine thought softened all her face,
> As once more rang the trumpet through the place.'

We remember that this divine thought is no thought of pity for the victim whose head falls at the trumpet blast; and if we judge by any human standard, we turn aside from the maiden as we should from the ferocious rites which marked the devil-worship of Artemis Tauropola or the Spartan Iphigeneia. But although the poet speaks of Atalanta as reared up, like Helen, to be 'a kingdom's curse,' and as making her

> 'city's name accurst
> Among all mothers for its cruelty,'

he does not wish us so to dwell upon this thought as to kill all our sympathy for her when the warm human feeling wakes up in her heart as Milanion, by the help of a god, and by this help alone, at last outruns her. Neither do we wish it. But we can avoid this only by ceasing to look upon her as human at all. The beauty of the tale cannot be questioned, but neither can we question the beauty of those many other tales in which we find the two thoughts that furnish the framework of the story of Atalanta—the idea, namely, of the maiden whom hundreds stake their lives to win, and the idea of the suitors who meet their death until in due time comes the man destined to win her. Some of these stories have been wedded to verse by modern as well as by ancient poets; and if the beauty of their work must be measured by the degree of their fidelity to the ideas which lie at the root of these stories, we can but wonder at the magic power which those ideas have exercised on poets who seem to have scarcely felt a temptation even to modify them.

In the 'Doom of King Acrisius' Mr. Morris handles a subject which might furnish materials for many epics, and which is

handled by himself more than once in other poems. The child Perseus is also 'the Man born to be King;' and none will read the two tales as the one follows the other, without seeing that the framework in both is the same and that not a few of the incidents correspond. No beauty can exceed that of Danaê, no grace surpass that of her child Perseus, the pure hero, whose office it is to redress wrong and punish the evil-doers. Here then is the chord struck which excites our human sympathy; but we cannot rest on this or on the love of Perseus for the Libyan maiden, as we wander along in the midst of wonders, marvellous as any in Arabian story, which tempt us continually to stray into the many other regions where we may survey the same scenes and hear the same sounds. The temptation is the stronger, because the points of likeness between the several tales heighten their charm; and thus we may follow the 'idle singer' through his 'murmuring rhymes,' being well assured that the imagery of his stories will at each step recall other scenes in the enchanted land.

We feel ourselves in the old and well-known paths as we read

'There on the sill she laid her slender hand,
And, looking seaward, pensive did she stand,
And seemed as though she waited for the Sun
To bring her news her misery was done;
At last he came, and over the green sea
His golden road shone out right gloriously,
And into Danae's face his glory came
And lit her softly waving hair like flame.
But in his light she held out both her hands,
As though he brought her from some far off lands
Healing for all her great distress and woe.'

In the incidents that follow, Mr. Morris adheres more strictly to the old legend, which shows with singular clearness how thoroughly the elements of European folk lore were known to the nurses and poets of ancient Hellas.

In the rescue of Andromeda we approach the true work of all heroes; and Mr. Morris's dragon, which is very well described, may serve excellently as a type of all the monsters slain by Theseus, Heracles, Bellerophon, or Jason, by Cadmus, Œdipus, St. George, or Feridun. True to himself, Mr. Morris closes the scene in which Perseus first sees and wins his bride by words which, put into the mouth of Andromeda, throw over it the shadow of future darkness:—

'O love, to think that love can pass away,
That soon or late to us shall come a day
When this shall be forgotten! e'en this kiss
That makes us now forgot the high God's bliss,
And sons of men with all their miseries.'

Mr. Morris introduces us into a very garden of delights when he tells us again the often-told story of Psyche—the history of lovers severed by the malice of others almost as soon as they are wed, and retaining no other consolation than the thought that it is 'better to have loved and lost than never to have loved at all.' If to explain the hatred of Aphroditê for Psyche Mr. Morris has departed from the ordinary story, his language still shows that her jealousy of the fair maiden is but another form of the jealousy of Eos in the story of Procris. Psyche is receiving at all hands the worship which should be reserved for the Queen of Beauty only: she is a maid

'Whom any amorous man this day would kiss
As gladly as a goddess like to me;
And though I know an end to this must be,
When white and red and gold are waxen grey
Down on the earth, while unto me one day
Is as another, yet behold, my son,
And go through all my temples one by one,
And look what incense rises unto me;
Hearken the talk of sailors from the sea
Just landed, ever will it be the same,
"Hast thou then seen her?"'

The Love-God promises obedience; but his cruel purpose gives way to a feeling of absorbing rapture when he comes upon the desolate Psyche, who has sunk to sleep beneath the weight of her sorrow. The god kneels beside her as she slumbers, and the picture, sensuous though it may be, is full of beauty:—

'From place to place Love followed her that day,
And ever fairer to his eye she grew,
So that at last, when from her bower he flew,
And underneath his feet the moonlit sea
Went shepherding his waves disorderly,
He swore that of all gods and men, not one
Should hold her in his arms but he alone;
That she should dwell with him in glorious wise,
Like to a goddess in some paradise;
Yea, he would get from Father Jove this grace,
That she should never die, but her sweet face
And wonderful fair body should endure
Till the foundations of the mountains sure
Were molten in the sea.'

After a long and grievous pilgrimage—after tasks wholly beyond human powers, in which, like the wandering princes and maidens of folk lore in like case, she is aided by birds and beasts whom she has befriended, this consummation is at last brought about: but although to do full justice to the way in which Mr. Morris has told the story, we should have to quote the whole of it, we must pause for awhile to look on the picture of the beautiful maiden who leaves the abode

of lost love and happiness, with a weight of misery not to be described in words, yet nerved by a purpose which no earthly power could conquer or turn aside :—

'Thenceforth her back upon the world she turned,
As she had known it; in her heart there burned
Such deathless love, that still untired she went:
The huntsman dropping down the woody bent
In the still evening saw her passing by,
And for her beauty fain would draw anigh,
But yet durst not; the shepherd on the down,
Wondering, would shade his eyes with fingers brown,
As on the hill's brow, looking o'er the lands,
She stood with strainèd eyes and claspèd hands,
While the wind blew the raiment from her feet;
The wondering soldier her grey eyes would meet,
That took no heed of him, and drop his own;
Like a thin dream she passed the clattering town;
On the thronged quays she watched the ships come in,
Patient, amid the strange outlandish din;
Unscared, she saw the sacked town's miseries,
And marching armies passed before her eyes.
And still of her the god had such a care,
None did her wrong, although alone and fair
Through rough and smooth she wandered many a day,
Till all her hope had well-nigh passed away.'

From this image of purely spiritual beauty, the loveliness of Una which the touch of neither man nor beast may mar, the poet takes us with consummate art to the sensuous home of the Paphian Queen,—

'Whose beauty sole had lighted up the place,'

where the maidens danced in the house made beautiful with gold.

'A crown there was upon her glorious head,
A garland round about her girdlestead,
Where matchless wonders of the hidden sea
Were brought together and set wonderfully.
Naked she was of all else, but her hair
About her body rippled here and there,
And lay in heaps upon the golden seat,
And even brushed the gold cloth where her feet
Lay amid roses,—ah! how kind she seemed,
What depths of love from out her grey eyes streamed.'

But the kindness and the love are not for those who approach her too nearly in their beauty; and her unconscious rival bleeds beneath her cruel scourges, until the time comes when Psyche must drink the draught which after her grievous sorrows is to render her immortal.

We must hasten through the other scenes of the 'Earthly Paradise.' We must not be tempted to linger amidst the beauties of the legend of the brave Ogier, some portion of whose story Mr. Morris tells again in his charming poem of the 'Land East of the Sun.' But the simple hero of the 'Land East of the Sun' comes back, not like Ogier, to the scenes of his ancient glory and renown, but like Psyche for a long and agonising quest, which lasts until the spell is broken by the utterance of the magic name of the land where he finds again the love whom he had lost. In the fourth part of the work, recently published, the legend of Bellerophon appears again, in Argos and in Lycia; but in our judgment the 'Ring given to Venus' is the most attractive portion of this volume, and one of the most perfect of Mr. Morris's compositions, for he avoids in it his two besetting sins of despondency and prolixity.

From this banquet in the halls of Fairyland we turn to the most powerful of the stories told in the 'Earthly Paradise,' and the most human. In the poem which tells the story of Gudrun and her lovers we have the working only of human passions; but of the result we are bound to say plainly that it is more repulsive and more shocking to our moral sense than any incidents of the stories which professedly carry us out of the region of human ethics. The Gudrun of this terrible drama is not the Gudrun of the Volsung and Niblung legend, although she is one

'Whose birth the wondering world no more would blame
Than her's who erst called Tyndarus her sire,
What hearts soe'er, what roof-trees she might fire,
What hearts soe'er, what hearths she might leave cold,
Before the ending of the tale be told.'

If we choose to sup on horrors, knowing them to be impossible or unreal, it may perhaps be well. If we take these horrors as in any sort true pictures of the society of an historical age, it is not well; and the claim which Mr. Morris has put forward for the substantially historical character of the Grettir Saga, a story of like complexion, justifies some further comments on a poem, to the beauty and power of which we can have no wish to shut our eyes.

The course of Gudrun's future life is revealed to her, while she is yet a girl, by Guest the Wise; but our concern is not with the predictions but with the incidents of her strange career. The first is her marriage with Thorvald, whom she weds without feeling for him a spark of affection, but only because it was too much trouble to say

'no' for ever. The man is coarse; but his coarseness must of itself reflect on the choice of a maiden who had grown up to 'perfect womanhood.' He is also rough and passionate, and

'As she ever gloomed before his eyes,'

he is moved by some not altogether unnatural or inexcusable anger against the woman who, at the first, was at the least as much to blame as himself, and far more so in the end, when on a time it fell

'That he, most fain indeed to love her well,
Would she but turn to him, had striven sore
To gain her love, and yet got nothing more
Than a faint smile of scorn, 'neath eyes whose gaze
Seemed fixed for ever on the hoped-for days
Wherein he no more should have part or lot.'

All other feelings are now overpowered by resentment, and smiting her on the face in his despair, he rushes out and rides away furiously over hill and moor. Gudrun after this behaves more kindly to Thorvald, whose wife she continues to be for several months, till, when he has gone to the Thing, she rides over with one man to Bathstead to tell her tale:—

'And as in those days law strained not to hold
Folk whom love held not, or some common tie,
So her divorce was set forth speedily,
For mighty were her kin.'

This is plain speaking; and the thought may be pardoned that, if Gudrun, on subsequent occasions, had chosen to set in motion the simple machinery which she had shown herself so competent to use, she needed not to have undergone the miseries of her life, or the poet to have related the horrors of her history. Freed from Thorvald, she soon marries Thord, a man of whom nothing more can be said than that he was 'brisk, and brave, and fair;' and the fact would seem to imply that with Gudrun marriage was the end of life rather than marriage with true love. We are, however, told that 'she deemed she loved him well;' and that things might perhaps have continued to run smoothly had not her husband been drowned in a summer gale. Her eyes are next turned to Kiartan, a man who is described as the bravest of the brave and the fairest of the fair—a man worthy of the love of the noblest and best of women. But Gudrun, who had thus far shown no unwillingness to run into marriage, now betakes herself to other ways; and when her father hints that she might do well to take Kiartan as her third husband,

'She answered nought, but drew her hand away,
And heavier yet the weight upon her lay
That thus men spake of her. But, turning round,
Kiartan upon the other hand she found
Gazing upon her with wide hungry eyes
And parted lips; then did strange joy prise
Her listless heart, and changed her old world was;
Ere she had time to think, all woe did pass
Away from her, and still her life grew sweet,
And scarce she felt the ground beneath her feet,
Or knew who stood around, or in what place
Of heaven or earth she was; soft grew her face;
In tears that fell not yet, her eyes did swim,
As, trembling, she reached forth her hand to him,
And with the shame of love her smooth cheek burned,
And her lips quivered, as if sore they yearned
For words they had not learned, and might not know
Till night and loneliness their form should show.'

This is very pretty; but when we remember what she had done before, and what she did afterwards, we may well think that she might have married him at once, and so made an end of the business. Instead of this, when Kiartan suggests to his bosom friend and foster-brother Bodli Thorleikson that he should get him a wife, and when Bodli, who in secret loves Gudrun, says that his sword must bring home a bride, Gudrun urges that all three should take a voyage up the Thames or Seine. Kiartan, taking up the thought, says that he will go with Bodli, and will wed Gudrun when he comes back to Iceland full of fame. The next scene shows Kiartan and his friend in the court of the sainted Olaf, whose faith they would have been willing to adopt, but that they

'knew not how their forefathers to call
Souls damned for ever and ever.'

Olaf, however, is less peremptory with them than it was his wont to be; but when they fail to be convinced by the exposition of a German bishop, 'that seemed both dull and long,' they bring themselves into some jeopardy, from which they are delivered by the noble and chivalrous candour of Kiartan. At length, both the friends are hallowed at the font, and Kiartan, while he says that 'nought at all may move his heart from Gudrun,' allows Ingebjorg, Olaf's sister, to fall in love with him, until the king, pleased with the affection growing up between them, has in heart to raise Kiartan so that he too should be a king. A ship is now to sail for Iceland; but Kiartan will not go, the reason given being that he 'passed his life, fulfilled of praise and love and glory.' Bodli, whom

Kiartan charges with a cold message to Gudrun that he had won great honour and bliss, and that they should meet again, tells Gudrun, in answer to her importunate questionings, that Kiartan sits ever by Ingebjorg's side, and that men said that he should wed her and be king; and in so saying he spoke but the plain truth. If he thought that Gudrun might now turn from his friend to himself, her former history might pardon, or even justify, the hope. Kiartan tarries three years in Norway, sending no tidings of himself to Gudrun; but at the end of this time he determines to return to Iceland, and goes to bid farewell to Ingebjorg, whom

'He loved with a strange love very sore,
Despite the past and future.'

We are at a loss to know what name is to be given to this kind of love, however great may be our sympathy with the gentle Ingebjorg, who, seeing the tears streaming down his cheeks, says in all simplicity—

'Weep, then!
If thou, who art the kindest of all men,
Must sorrow for me, yet more glad were I
To see thee leave my bower joyfully
This last time; that when o'er thee sorrow came,
And thought of me therewith, thou might'st not blame
My little love for ever saddening thee.
Love! let me say Love once—great shalt thou be,
Beloved of all, and dying ne'er forgot.'

Kiartan, on reaching Iceland, learns from his sister Thurid that Gudrun, incapable, it would seem, of abstaining from marriage for more than a few months, is the wife of his friend Bodli, and bursts into the cry—

'O Gudrun, Gudrun,
Have I come back with all the honour won
We talked of, that thou saidst thou knewest well
Was but for thee—to whom then shall I tell
The tale of that well-doing? And thou, friend,
How might I deem that aught but death should end
Our love together? Yea, and even now,
How shall I learn to hate thee, friend, though thou
Art changed into a shadow and a lie?'

The words sound much like rhodomontade, and we can but ask how he can speak of Gudrun as his love, when he had but a little while before confessed that despite the past and future he loved Ingebjorg with a strange love very sore, and in what way Bodli had become to him a shadow and a lie. If fault there were anywhere, it lay now, as before, with Gudrun; and if Kiartan had particularly wished to tell her of his exploits, he might have returned with Bodli for this purpose; for it does not appear that he added greatly to his achievements after his friend's departure, his time being chiefly taken up with furnishing fuel for the fire which was to consume the heart of Ingebjorb.

At this point a new lover of Kiartan is brought on the stage; nor is it to be wondered at that the beautiful Refna should be drawn towards Kiartan, or that Kiartan should speak kindly to her. Meanwhile, at Bathstead, Gudrun had received the tidings of Kiartan's return to Iceland, and late in the night she leaves her chamber to hold forth to her husband after the following fashion:—

'Night hides thee not, O Bodli Thorleikson,
Nor shall death hide from thee what thou hast done.
What, thou art grown afraid, thou tremblest then,
Because I name death, seed of fearless men?
Fear not, I bear no sword, Kiartan is kind;
He will not slay thee because he was blind,
And took thee for a true man time agone.
My curse upon thee! Know'st thou how alone
Thy deed hath made me? Dreamest thou what pain
Burns in me now when he has come again?
Now, when the longed-for Sun has risen at last
To light an empty world, whence all has passed
Of joy and hope—great is thy gain herein!
A bitter broken thing to seem to win,
A soul the fruit of lies shall yet make vile,
A body for thy base lust to defile,
If thou durst come anigh me any more,
Now I have curst thee, that thy mother bore
So base a wretch among good men to dwell,
That thou might'st build me up this hot-walled hell.'

It has been said of Cranmer, that it is difficult to speak our mind of the lessons given by him to Edward VI. in the art of persecution without calling foul names; but without thus assailing Gudrud, the answer to this furious and unseemly outburst is, briefly, that Bodli had done nothing but speak the truth; that if she felt dissatisfied with his report, her business was to ascertain the real state of things by writing to Kiartan, or, if need be, by going herself to Norway; that instead of doing this, she had chosen to repeat in Bodli's case what she had done twice already, and married for the third time without real love; that her words meant nothing, for at a later time she bore children to Bodli, and that all the difficulty might have been settled at once by a resort to that court whose aid she had effectually invoked for a far smaller matter, even if her words were true, in the case of her first husband, Thorvald. It seems almost idle to waste words on this wretched medley of

unnecessary miseries. Kiartan, we are told, would now sit and watch the weary sun go by,

'Feeling as though his heart in him were dead.'

He had already made the voyage to Norway once; he had only to make it again to find there a true and devoted woman whose love would be worth that of a thousand Gudruns. But of Ingebjorg there is no further count taken; and because Gudrun will not divorce herself from Bodli, Kiartan weds not Ingebjorg but Refna. It would not be easy to find a parallel to this mingled baseness and absurdity, unless perhaps we look for it to the confessions of Augustine, who sends away the long-loved mother of his child because he wishes to marry a Milanese lady, and because this lady is still too young, enters into another unlawful connexion until she should be old enough to marry him. To make the matter even worse, when his sister Thurid has told Kiartan the truth about Refna, Kiartan with a certain feeling of relief lays himself on his bed, thinking of Ingebjorg

'And all the pleasure her sweet love had brought
While he was with her; and this maid did seem
Like her come back amidst a happy dream:'

and Kiartan now called himself a Christian. 'Ah, well! what will you have?' asks Mr. Morris.

'This was a man some shreds of joy to save
From out the wreck, if so he might, to win
Some garden from the waste and dwell therein.
And yet he lingered long, or e'er he told
His heart that it another name might hold
With that of the lost Gudrun.'

This is intolerable. What we would have is the plain duty of a Christian man—which in such a case would be, either that he should remain as he was, or that, as he could not marry the woman whom he had first loved, he should betake himself to her whom he professed to love with a strange love great and sore. In strict truth, there was no wreck and no waste except such as he had chosen to make. According to the Icelandic ethics of the day, all might be settled on Gudrun's part by an appeal to the divorce court; on his own part, he was bound to make Ingebjorg happy and not to make Refna miserable. But in point of fact, he had allowed another name to hold his heart along with that of Gudrun, if there was but a grain of truth in the words which he had spoken of Ingebjorg; nor can we shut our eyes to these glaring inconsistencies in an awkwardly constructed story.

We need all our patience to go through the sequel of the tale. It is enough to say that a feud is made to spring up between the house of Bathstead and Kiartan's house of Herdholt—that Kiartan finds it consistent with his Christian profession to harry his neighbour's house and steal his cattle, and that in the issue

'Gudrun's five brethren, and three stout men more,'

valiantly attack Kiartan and his single attendant in a desolate pass, and at length succeed in slaying him, their luck being better than that of the eighty assailants of Grettir, who are vanquished by that hero as easily as the thousand Philistines were smitten by Samson when armed with the jaw-bone of an ass. The rest may be told in a few words, but these are not the less noteworthy. Refna dies soon of a broken heart; and three years later Bodli is slain by Kiartan's kinsfolk. As to Gudrun,

'when Bodli's sons were men,
And many things had happed, she wed again;'

and when Thorkel in his turn had been dead for a long while, she discourses to one of the sons of Bodli on the merits of her several husbands. If we allow, as well we may, when she came to speak of one who had not been her husband, that she told no more than the bare truth in saying,

'I did the worst to him I loved the most,'

we must also allow that, if these words imply blame to herself, that blame was most fully deserved; but as we can see nothing to praise or to love in her life, we can find little that is wholesome in the chronicle of her self-inflicted miseries.

It may, indeed, be said that if there are horrors here, there are horrors also in the story of Jason. But when we get among fire-breathing bulls, and men springing up after the sowing of dragon's teeth, and the marvels wrought by the wise Colchian maiden, our thoughts pass at once into another channel, where the contrast of the tale of Gudrun with the laws which underlie all our social life is not forced upon us; and in the story of Jason Mr. Morris has found a subject which he has handled with even greater skill than the most beautiful of the legends selected for the poems of the 'Earthly Paradise.' That this poem is tinged with the same tones of thought and feeling which pervade all the others, we have already seen; but here, as elsewhere, the lines in which these feelings are expressed are among the most melodious of Mr. Morris's rhymes. The Argonautic legend itself is

worked up into a tale of absorbing interest; and from the moment when the Olympian Queen reveals her loving purpose respecting Jason to the hour when he lies down to take his last sleep beneath the divine Argo, we are carried on with the art of the bard whose strains drive away all sleep from the eyes of his hearers. The contrast between the earlier scenes of the story and those in which the career of Jason is brought to the end, is drawn with singular force. The great work of Medea is done, and she sits a queen besides her crowned king —

'Yet surely now, if never more again,
Had she and all these folk forgotten pain,
And idle words to them were Death and Fear;
For in the gathering evening could they hear
The carols of the glad talk through the town
The song of birds within the garden drown:
And when the golden sun had gone away,
Still little darker was the night than day
Without the windows of the goodly hall.
But many an hour after the night did fall,
Though outside silence fell on man and beast,
There still they sate, nor wearied of the feast;
Yea, ere they parted, glimmering light had come
From the far mountains, nigh the Colchian's home,
And in the twilight birds began to wake.'

The golden light rests on all,

'And there in happy days, and rest and peace,
Here ends the winning of the Golden Fleece.'

But the winning of the Golden Fleece is not the end of the story; and, as though to nerve himself for the great catastrophe, Mr. Morris breaks off into one of the few passages in which he speaks of himself; nor will his readers think that in these lines he advances a claim which savours in the least of presumption.

'So ends the winning of the Golden Fleece,
So ends the tale of that sweet rest and peace,
That unto Jason and his love befell.
Another story now my tongue must tell,
And tremble in the telling. Would that I
Had but some portion of that mastery
That from the rose-hung lanes of woody Kent
Through these five hundred years such songs have sent
To us who, meshed within this smoky net
Of unrejoicing labour, love them yet.
And thou, O master!—yes, my master still,
Whatever feet have scaled Parnassus' hill,
Since like thy measures, clear and sweet and strong,
Thames' stream scarce fettered, bore the bream along
Unto the bastioned bridge, his only chain.
O master, pardon me, if yet in vain
Thou art my master, and I fail to bring
Before men's eyes the image of the thing
My heart is filled with; thou, whose dreamy eyes
Beheld the flush to Cressid's cheeks arise,
When Troilus rode up the praising street,
As clearly as they saw thy townsmen meet
Those who in vineyards of Poitou withstood
The glittering horror of the steel-topped wood.'

Chaucer himself might regard with complacency the work of his disciple throughout this poem, and, most of all, in that closing scene in which Jason thinks with tenderness of his first love and with more than tenderness of the later-won maiden,

'Whose innocent sweet eyes and tender hands
Made [him] a mocking unto distant lands,'

and with high purpose nerving his heart, can still say

'with the next returning light will I
Cast off my moody sorrow utterly,
And once more live my life as in times past,
And 'mid the chance of war the die will cast.'

So, thinking of great deeds still to be done in other lands, and

'gazing still across the sea,
Heavy with days and nights of misery,
His eyes waxed dim, and calmer still he grew,
Still pondering over times and things he knew,
While now the sun had sunk behind the hill,
And from a white-thorn nigh a thrush did fill
The balmy air with echoing minstrelsy,
And cool the night-wind blew across the sea,
And round about the soft-winged bats did sweep.'

The next day a shepherd of the lone grey slope finds crushed under the ruined stem of Argo all dead of Jason that here can die; and amid the funeral rites of the great king and hero the divine ship is offered

'to the Deity
Who shakes the hard earth with the rolling sea.'

We turn reluctantly from this noble poem as from the charming tales which Mr. Morris has gathered from the great storehouse of Greek tradition. Of the 'Earthly Paradise' we need only say that if, as in the story of Gudrun, there may be some thorny plants in its beautiful garden, and if the songs which tell us of its glories and its pleasures rather add to than lighten the burden of life, we are not blind to the loveliness of its flowers, or deaf to the music which is heard amidst its groves.

Art. X.—1. *Aktenstücke zur Orientalischen Frage, nebst chronologischer Uebersicht.* Zusammengestellt von Dr. J. von Jasmund. Drei Bände. 8vo. Berlin: 1855–1859.

2. *Papers on Eastern Question.* Presented to Parliament 1855–1856.

3. *Treaty, Protocols, and Correspondence relative to the Grand Duchy of Luxemburg.* Presented to Parliament May 1867.
4. *L'Impasse orientale. Souvenirs et Observations.* Par le Baron CHARLES de * * *. Leipzig and Brussels: 1871.

WE shall deal very briefly with the question which has been suddenly cast upon the troubled waters of Europe, by the declaration of the Court at St. Petersburgh that it should cease to be bound by one of the most important of its public engagements. For we do not propose to speculate at all upon the matter. We leave Mr. Mill in possession of his theory of the faith of treaties; we leave Mr. Froude to the belief that England and Russia are the 'two great civilising Powers of the East,' and that we ought to have accepted in a 'less jealous spirit' the Emperor Nicholas' proposal made to Sir Hamilton Seymour for a partition of the Ottoman Empire. These are speculative questions of morals and politics. Our object is simply to remind our readers of the history of the transaction and engagement which has been so suddenly and violently impugned. For this purpose we shall turn to the records of the negotiations carried on during the war of 1854 and 1855, which happily led to the Peace of Paris. Dr. Jasmund's volumes supply us with the documents in the most convenient form. A short recapitulation of the passages relating to that engagement which Prince Gortschakoff proposes to throw off and annul at the pleasure of his august master, will demonstrate that this breach of faith is of the most radical and fundamental character—that it is directed against the most important result of the Crimean war, and against that condition which in the judgment of all Europe was regarded as the most essential for the maintenance of peace. Diplomatic protocols and correspondence are apt to be forgotten, and they are never of a very amusing character. But when they bear upon the interests of the day and determine the basis of a great European settlement, it is proper that they should be brought back to light. Whilst we were engaged in the researches imposed on us by our task, a foreign diplomatist of experience and ability was pursuing the same path of inquiry. We have just received his pamphlet, the title of which stands at the head of this Article, and we shall avail ourselves of his assistance to establish our case. Like ourselves, he holds the Russian declaration of the 31st October to be 'the most serious blow which public law has received in the course of modern history, and that it must be regarded as the starting-point of a new situation in politics.'

The first mention of the limitation of the naval forces of Russia in the Black Sea occurs in a despatch of M. Drouyn de Lhuys to the French Minister at Vienna, dated the 23rd July, 1854. In this despatch, after stating, amongst other things, that 'the privileged position of Russia on the Euxine Sea enabled her to create establishments on its coast and to develope a maritime power on its waters, which in the total absence of any counteracting force are a permanent menace against the Ottoman Empire,' the French Minister went on to lay down the four conditions or points for which the Allies were contending. Of these the third was that 'the Treaty of the 13th July, 1841 (known as the Treaty of the Straits), should be revised by the high contracting parties in the interest of the European balance of power, and *with a view to a limitation of the Russian power on the Black Sea.*' It is remarkable that this despatch was written some time before the Allied fleets and armies had sailed for the Crimea. Throughout the war and the subsequent negotiations, these Four Points were steadily kept in view. The Western Powers never asked more and would never accept less; they were eventually incorporated in the treaty of peace, and marked the successful termination of the war. But of these points the *third*, providing for the limitation of Russian power in the Black Sea, was the most strenuously resisted by Russia and the most firmly insisted on by the British and French Governments.*

The Four Points proposed by France and adopted by England were communicated to Austria, and accepted by her as conditions and principles without which she declared that she would not negotiate. Prussia gave in her adhesion to them. They were communicated by the neutral Powers to the Court of St. Petersburgh as the fundamental conditions of peace; and the third point was incorporated in the following terms in the Memorandum of the 28th December, 1854, which was the basis of the Vienna Conference.

'3. The revision of the Treaty of July 13,

* The same idea had occurred to M. de Vergennes, Minister of Louis XVI., after the conquest of the Crimea by the Empress Catherine. On the 22nd August, 1783, this statesman proposed to the Cabinets of London and Vienna to make their recognition of this Russian conquest conditional, by demanding of the Empress to limit her forces in the Black Sea to a fixed number of small vessels, in order to protect Turkey against systematic aggression. But this proposal was not adopted. (*L'Impasse orientale*, p. 5.)

1841, must have for its object to connect the existence of the Ottoman Empire more completely with the European equilibrium, and to put an end to the preponderance of Russia in the Black Sea. As to the arrangements to be made in this respect, they depend too directly on the events of the war for it to be possible at present to determine the basis; it is sufficient to point out the principle.'

The Vienna Conference, at which England was represented by Lord John Russell, and France by M. Drouyn de Lhuys, began its deliberations on the 15th of March, 1855. The siege of Sebastopol was then going on, and the allied armies had suffered severely during the winter. Passing over the discussion, on the first two points, on which no serious difficulty arose, the Conference reached on the 19th of April the third point, and more especially the latter part of the clause. An adjournment of seventeen days had taken place in the interval to enable the Court of St. Petersburgh fully to consider it. Russia declined to take the initiative in making any proposal on the subject, though she professed to have accepted the Memorandum as the basis of negotiation. Austria recommended a system of naval equipoise—that is, that the two riverain Powers, Russia and Turkey, should bind themselves by treaty to maintain in the Black Sea a certain number of ships and no more. In this state of the question the discussion opened. M. Drouyn de Lhuys declared that 'the most natural and efficacious means of putting an end to the preponderance of Russia in the Black Sea consisted in the limitation of her maritime forces there.' He added that, 'in point of fact, the Black Sea was at that moment in the exclusive possession of England, France, and Turkey, and would remain so as long as the war lasted. It was not therefore for those Powers to ask concessions of Russia, but to consider on what terms they will consent to put an end to her absolute exclusion from those waters.'

Lord John Russell concurred in these remarks and supported this proposition. He observed 'that the Black Sea was exceptional, that the principle of closing the Dardanelles had been adopted by the public law of Europe; that of the two Powers which alone command the shores of the Black Sea the one, already very strong, continually augments its forces, whilst the other is weakened by her contest with Russia. In this state of things England regards the excessive increase of the Russian fleet in the Black Sea as a perpetual menace hanging over the Bosphorus and Constantinople. To admit that the Ottoman Empire is an essential element of the European equilibrium, and to wish to maintain at the same time a perpetual menace directed against that Empire, is a flagrant inconsistency.'

The principle of limitation of naval forces was at that time formally rejected by Russia as incompatible with her dignity. But, on the other hand, Prince Gortschakoff submitted to the Conference a document (known as Annex A to Protocol 12) in which Russia rebutted the charge of abusing her preponderance in the Black Sea, and proposed on the contrary to open the Dardanelles and the Black Sea to the naval flags of all nations—provided that as the fleets of other States would have the right to enter the Black Sea, so the fleet of Russia would have the right (with the consent of the Porte) *to sail out of it.* This proposition was absolutely negatived by Turkey, England, and France as totally incompatible with their policy and objects. It was, therefore, on this point that the negotiations broke off, and the hope of terminating the war at that stage came to an end. Lord John Russell and M. Drouyn de Lhuys rather inclined to accept the principle of equivalents which had been recommended by Austria; and those Ministers were in fact wrecked on that shoal. But throughout the negotiation the British Government insisted with great energy that the limitation of the Russian fleet *should be absolute*, and not based on the system of counterpoise, for reasons which are fully stated in the published correspondence.

The history of this transaction was written with his usual ability by Lord Clarendon in a circular despatch addressed to the Queen's Representatives abroad, and the following observations deserve to be reproduced, because they are just as applicable to Prince Gortschakoff's Note of October 1870, as they were to Prince Gortschakoff's Project of April 1855. After referring to the earlier stages of the negotiation, Lord Clarendon goes on :—

'Russia has asserted that a regard for her dignity precludes her from acceding to the terms proposed by the Allies on the third point. But the dignity of Russia cannot require that she should keep up in time of peace, and on the immediate threshold of her weaker neighbour, a force wholly unnecessary for purposes of self-defence, but enabling her at the shortest notice to subvert the independence of that neighbour, and to change the territorial distribution of Europe. Yet such is the position which Russia has maintained in the Black Sea, and which she has even now publicly avowed her determination not to renounce.

'It is needless to dwell on the absence of any motive of self-preservation to justify this determination on the part of Russia. It would be a mockery to pretend that she has anything

to fear from the hostility of Turkey; and while Turkey is at peace and free from threatened attack by Russia, and while the Straits between the Mediterranean and the Black Sea are closed except to a small and limited number of ships of war of the Western Powers, Russia has nothing to fear from the naval forces of England and France; while, on the other hand, the present state of things in the Black Sea demonstrates that when war exists between Russia and Turkey, and when the Straits are consequently open to all the naval forces of the Sultan's allies, England and France, if sufficient time be afforded them, can collect in the Euxine a naval armament strong enough to sweep from the waters of that sea every ship bearing the flag of Russia.

'Russia has indeed alleged that the preponderance which she wishes to maintain in the Black Sea is essential for the security of the Turkish Empire against the aggressions of other Powers, but it is not from the hostility of the Western Powers, but from the traditional, and it is not too much to say avowed, policy of Russia, that the Turkish Empire has danger to apprehend. The present war has been undertaken to provide securities against those ambitious designs of Russia which menace the safety of Turkey and the future repose of Europe; and, in short, to quote the words of a recent Russian Proclamation, to prevent, as far as Turkey is concerned, the accomplishment of the wishes and the views of Peter, of Catherine, of Alexander, and of Nicholas.

'The Western Powers, in conjunction with Austria, have considered that this object would most effectually be secured by restricting within reasonable bounds the power of Russia in the Black Sea. Russia, however, has refused to subscribe to these reasonable proposals; and in their place she has offered two schemes of modification of the Treaty of 1841, the practical effect of which would be, that whichever of the two schemes the Western Powers might accept, those Powers would be obliged to keep up perpetually in the vicinity of the Dardanelles a large naval force prepared to act in any contingency which might occur. For, according to one scheme, Russia proposed that the Straits between the Mediterranean and the Black Sea should at all times be open to the ships of war of all nations, and therefore, of course, to her own Black Sea and Baltic fleets.

'The effect of this scheme would have been, that Constantinople would at all times have been exposed to all the dangers which might have arisen from the sudden appearance before that city of an overwhelming Russian armament; while the tranquillity of the Mediterranean, and all the great interests in that sea, would have been liable to disturbance by the action of a powerful Russian fleet, sallying forth at any moment from the Euxine.

'To guard against this double danger, the Governments of England and of France would have been compelled to maintain in the Mediterranean war establishments in time of peace, and permanently to station their armaments at a great distance from their arsenals and resources; so that a peace concluded on such conditions would have been nothing more than an armed truce divested of the security which is the essence of peace, and unaccompanied by that cessation of expenditure which ought to follow the termination of a war.'

In September, 1855, Sebastopol fell. The Allies, or at least England and Turkey, were preparing to carry on the war with vigour in the following spring; and the exhaustion of Russia was, as we have since learned, almost complete. A treaty had been concluded between the Western Powers and Sweden in November 1855, and that Power was prepared to assume the offensive in Finland had the war continued. Austria had also agreed, if necessary to join the alliance. The King of Prussia earnestly adjured the Emperor Alexander to make peace.

At this stage Austria again tendered her good offices, and the Four Points were presented to the acceptance of Russia in a more detailed and precise form. The third point then assumed the following shape:—

'3. Mer Noire: La Mer Noir sera neutralisée. Ouvertes à la marine marchande de toutes les nations, ses eaux resteront interdites aux marines militaires. Par conséquent il n'y sera ni créé ni conservé d'arsenaux militaires maritimes. La protection des intérêts commerciaux et maritimes de toutes les nations sera assurée, dans les ports respectifs de la Mer Noire, par l'établissement d'institutions conformes au droit international et aux usages consacrés dans la matière. Les deux Puissances riveraines s'engageront mutuellement à n'y entretenir que le nombre de bâtimens légers d'une force déterminée, nécessaires au service de leurs côtes. La convention qui sera passée entre elles á cet effet sera, après avoir été préalablement agréée par les Puissances signataires du traité général, annexée au dit traité, et aura même force et valeur que si elle en faisait partie intégrante. Cette convention séparée ne pourra être ni annulée ni modifiée sans l'assentiment des Puissances signataires du traité général. La clôture des Détroits admettra l'exception applicable aux stationnaires mentionnée dans l'article précédent.'

This ultimatum, though presented to Russia by Austria, had previously been discussed with considerable animation by the Western Powers. France had already attempted to lower the terms demanded by the Allies. England had indignantly protested against this course as an infraction of the alliance; and Lord Palmerston declared, in a letter to Count Persigny of the 21st November, that rather than subscribe to inadequate conditions, England would carry on the war alone with Turkey. On the 26th November, the British Government declared in her Majesty's name that 'the Treaty for the neutralisation of the Black Sea must be a real-

ity, and not an illusory stipulation, which would inevitably be the case, if it were made to depend on a separate Treaty between Russia and Turkey.' England, therefore, insisted, that this essential condition should be embodied in the Treaty to be signed by all the Powers, and should not be subject to modification without their assent. These views, energetically supported by the British Minister, prevailed, and the preliminaries were drawn up in conformity with them.

These preliminaries were *formally accepted* by Count Nesselrode on behalf of Russia in his despatch to Prince Gortschakoff of the 5th January, 1856. His words with reference to the third point are these :—

'Art. III. is at the bottom only a reproduction *of the proposal emanating from the Imperial Cabinet* (that is Russia herself), which your Excellency was charged to communicate to the Austrian Government. *We accept it*, and thereby consent that the convention to be made between Russia and the Porte for this purpose should be previously submitted to the sanction of the contracting Powers. We have only two amendments to propose, one of which is solely intended to make the terms more clear and avoid all misconstruction ; the other is a trifling addition of a word with reference to the suppression of the slave trade on the Black Sea coast.'

On the 1st February, 1856, Russia signed a protocol at Vienna, in conjunction with the belligerent Powers and Austria, by which she recognised and accepted these preliminaries as the basis of an armistice and of a definitive treaty of peace.

This was the foundation of the negotiation opened at the Congress of Paris on the 25th February, 1856. We pass over the discussion of the points which first occupied the Congress, and are not now at issue.* On the 4th March the third point was brought under consideration. The first clause in it, which established the neutralisation of the Black Sea, was adopted without observations in the Protocol, and incorporated in the XIth, XIIth, and XIIIth articles of the General Treaty, in the terms we are about to cite. The first paragraph stands thus in the Protocol, and our readers will observe that the observations which accompanied the adoption of the second paragraph are of the utmost importance :—

'"The Black Sea is neutralised ; its waters and its ports thrown open to the mercantile marine of every nation, *are formally and in perpetuity interdicted to the flag of war, either of the Powers possessing its coasts, or of any other Power*, with the exceptions stipulated in the present Treaty. Free from any impediment, the commerce, in the ports and waters of the Black Sea shall be subject only to the regulations in force."

'The second paragraph is in like manner agreed to by all the Plenipotentiaries, after having been settled in the following form :

"The Black Sea being declared neutral, the maintenance or establishment upon its coast of military-maritime fortresses, becomes alike unnecessary and purposeless. In consequence, his Majesty the Emperor of Russia, and his Majesty the Sultan, engage not to establish or to maintain, upon that coast, any military-maritime arsenal."

'The first Plenipotentiary of Great Britain states that Russia possesses at Nicolaieff an arsenal of the first class for maritime works, the maintenance of which would be in contradiction to the principles on which the paragraph, of which the Congress has just settled the terms, is founded. This arsenal not being situated on the shores of the Black Sea, Lord Clarendon does not mean to assert that Russia is bound to destroy the ship-building yards which exist there ; but he remarks that public opinion would be authorised in attributing to Russia intentions which she cannot entertain, if Nicolaieff were to retain, as a centre for all maritime works, the importance which it has acquired.

'The first Plenipotentiary of Russia replies that *the Emperor, his august master, on acceding with sincerity to the propositions of peace, firmly resolved strictly to carry out all the engagements resulting from them ;* but that Nicolaieff, being situated far from the shores of the Black Sea, respect for her dignity would not permit Russia to a allow a principle solely applicable to the coast to be extended to the interior of the Empire ; that the security of, and watching over, the coasts required, moreover, that Russia should have, as had been admitted, a certain number of light vessels in the Black Sea, and that, if she consented to give up the ship-building yards of Nicolaieff, she would be compelled to establish others in some other point of her southern possessions ; that, *in order at once to provide for his engagements, and for the requirements of the naval service, the Emperor intends only to authorise the construction at Nicolaieff of the vessels of war mentioned in the bases of the negotiation.*

'The first Plenipotentiary of Great Britain, and, after him, the other Plenipotentiaries, consider this declaration satisfactory.

'The Earl of Clarendon inquires of the first Plenipotentiary of Russia *whether he agrees to the insertion of his declaration in the Protocol.* After having replied in the affirmative, Count Orloff adds that, in order to prove the sincer-

* It must, however, be observed that the other points touching the Roumanian Provinces and the navigation of the Danube are more or less dependent on the neutralisation of the Black Sea, and would be open to objections from other Powers, if that main point were successfully repudiated by Russia. All that relates to the navigation of the Danube is at least as important to Austria as to Turkey, for that river was opened on the express condition that no ships of war were to be within reach of its mouth.

ity of his intentions, the Emperor has instructed him to demand a free passage through the Straits of the Bosphorus and of the Dardanelles for the two ships of the line which alone are now at Nicolaieff, and which would have to proceed to the Baltic as soon as peace was concluded.' (*Protocol of Congress of Paris, No.* 4, 4*th March*, 1856.)

In addition, therefore, to the specific contract of the General Treaty, there was an express declaration and engagement of personal honour made by Count Orloff on behalf of the Emperor of Russia to carry out these stipulations. This declaration was also the result of a previous discussion between the Plenipotentiaries, which is not recorded in the papers. Lord Palmerston had desired to demand the independence of Circassia. Lord Clarendon required an engagement from Russia that she would not rebuild her forts on the eastern shores of the Black Sea, and that Nicolaieff should be included in the declaration. But on these points the British Ministers yielded to the solicitations of the Emperor Napoleon, and the assurance of Count Orloff, which we have just cited, was substituted for them. Lord Clarendon afterwards declared in the House of Lords that if ever a Government could be said to have contracted a moral obligation, Russia had done so by this Protocol.

On the same day that the Treaty of Peace was concluded a Convention was signed between all the Powers re-asserting and establishing the principle of the closing of the Dardanelles against the ships of war of all nations in time of peace: and another convention between Russia and the Porte limiting their naval forces in the Black Sea respectively to six steam vessels of fifty metres in length, and four sailing vessels not exceeding 200 tons each. These conditions were annexed to, and included in, the definitive Treaty of Peace signed in Paris on the 30th March, 1856, and it was expressly provided by the 14th Article of the General Treaty that the Convention about the naval forces *should not be annulled or modified without the consent* of the Parties to the General Treaty.

In addition to these contracts, on the 15th April a separate Treaty was concluded between England, France, and Austria in the following form, to which Prussia declined to be a party:—

'Art. 1. Les hautes parties contractantes garantissent conjointement et séparément l'indépendance et l'intégrité de l'empire ottoman, consignées dans le traité conclu à Paris le 30 mars 1856.

'Art. 2. Toute infraction aux stipulations du dit traité sera considérée par les Puissances signataires du présent traité comme un casus belli. Elles s'entendront avec la Sublime-Porte pour les mesures qui seront devenues nécessaires, et régleront entre elles, sans délai, l'emploi à faire de leurs forces militaires et navales.

'Art. 3. Le présent traité sera ratifié, et les ratifications seront échangées dans la quinzaine ou plus tôt, s'il est possible.

'En foi de quoi, les Plénipotentiaires respectifs ont signé le dit traité et y ont apposé le sceau de leurs armes.' (*Fait à Paris, le quinzième jour d'avril, en l'an* 1856.)

We are indebted to our foreign pamphleteer for a more exact account than we had before seen, of the origin of this important Treaty. Throughout the war it was considered by the Western Powers to be an object of the first consequence to connect the existence of the Ottoman Empire with the general system of the politics of Europe. This was the basis of the declaration signed at Vienna as early as the 3d December, 1853, by England, France, Austria, and Prussia. At the Conference of Vienna in 1855, it was again proposed to place the territorial integrity of Turkey under the protection of Europe, Russia alone objecting. Austria subsequently proposed a separate Treaty for this object, and this was one of the chief inducements held out to England to lead her to consent to the very moderate terms of the ultimatum offered to Russia. France hesitated, but Count Buol reminded the Emperor Napoleon, that England would not have consented to that ultimatum without the promise of the separate Treaty for the protection of the Ottoman Empire, and Lord Palmerston insisted on the fulfilment of that promise. Hence, after some further negotiations, this separate Treaty was signed in the form just cited.

We have thought it opportune to reproduce in this place these engagements. None were ever entered into with greater deliberation or solemnity. They were not mere formal contracts, but they were expressly adopted by Count Nesselrode as his own; and Count Orloff pointedly declared on the Protocol that the Emperor his sovereign had 'firmly resolved to keep all the engagements resulting from them.' They were framed not with a view to any temporary expediency, but to regulate the permanent relations of Russia and Turkey on the Euxine. Nor can such limitation be of the slightest inconvenience to Russia, any more than the limitation of our own naval forces on the North American Lakes, unless a design existed of employing such forces for some sinister purpose. At the time these Treaties were signed the Western Powers were in full and absolute possession of the Black Sea. Russia could not launch a fishing-boat upon it. The

Allied Fleets were immediately withdrawn, never we hope to return there. Above all, Russia obtained in exchange for this limitation that which she most required—peace. The victorious Powers claimed no accession of territory, nor any other advantage for themselves. They did not even ask for the expenses of the war, which they might well have demanded. Their sole object, from first to last, was to deprive Russia of the means of continuing and renewing her aggressive policy against the Ottoman Empire, of which she had just given a signal example; and so to put an end to a state of things which had frequently brought Europe to the brink of war. It is especially as a pledge and guarantee of peace that these articles of the General Treaty of Paris are valuable. We say nothing of the interests of the Ottoman Empire itself. They may or may not deserve the armed support of this country. But no one—not even the Emperor Nicholas—has ever supposed that it would be possible to proceed to the demolition and partition of the Ottoman Empire without giving the signal of a general war in Europe: and such a war must in Egypt and the Levant affect directly some of the most important interests of Great Britain. Our object is to prevent the occurrence of that convulsion. It is, no doubt, possible that war may arise from a fixed determination to uphold the faith of treaties; but it is certain that war must arise from the acts which would follow the breach of them. Public law being abolished, the territories of the Ottoman Empire would be abandoned to a scramble for possession between the Great Powers. The great excellence of Lord Palmerston's policy in the East was, that on two occasions he foresaw this danger and averted it, by re-establishing the legal authority of the Porte. The value of the Ottoman Empire to England is that it stands between us and a state of anarchy and violence, which would convulse the East and compel us to resort to arms in self-defence. Russia is once more preparing to profit by some such revolution: we desire to prevent it.

Prince Gortschakoff asserts in a despatch of the 1st November, that 'the position in which Russia was placed by the Treaty of 1856 is prejudicial to all Europe, because it prevents the Imperial Government from exercising in matters of international import its due share of influence in favour of peace and conservative politics.' And in another despatch he observes that the opening of the Suez Canal, and the creation of an independent State in Italy, render it more than ever necessary that the power of Russia should make itself felt in the Levant and in the Mediterranean. The Russian Empire can never fail to exercise what Prince Gortschakoff terms 'its pacific and conservative influence in the Council of Powers,' as long as that influence is regulated by good faith and by respect for the public law of Europe. But we have yet to learn how this pacific and conservative influence can be aided by the reconstruction of another Sebastopol, or the equipment of a fleet of iron-clads to force the passage of the Bosphorus. The arguments of the English and French envoys at Vienna are as forcible now as at the time at which they were first used; and we see no reason to depart from the principles defended by Lord Palmerston, Lord Clarendon, and Lord Russell, and ultimately adopted by Russia herself and all the other Powers. Our present object, however, is not to discuss the questions which may be brought before the Conference, but simply to place before the world what has been thought, and said, and done upon them on former occasions. The stipulations based upon these views appear to us to be as wise and useful as they are binding: and we are confident that they cannot be abrogated—least of all by the sole will of the Power which is peculiarly bound by them—without re-opening a series of intrigues and dangers against which they were designed to protect the world.

The ink with which the foregoing remarks were written was scarcely dry, when Europe was startled by another declaration, emanating this time from Count Bismarck on behalf of the King of Prussia, but strikingly similar both in form and spirit to that which Prince Gortschakoff had so recently made to the world. It is stated by the Prussian Minister that, in consequence of certain breaches of neutrality alleged to have been committed in the little State of Luxemburg, King William will no longer regard as binding upon himself in his military operations the Treaty of 1867, by which the neutrality of the Grand Duchy was recognised and guaranteed by Prussia and all the other Great Powers. The same principle asserted by Russia—viz., that a Great Power may with impunity repudiate an obligation previously sanctioned by the consent of Europe, whenever it thinks it has the power to do so—is therefore to be adopted and acted upon by the Court of Berlin. It is obvious that such a principle is absolutely fatal to the existence and authority of all international contracts, whether special or collective; since even those which have not yet been denounced and repudiated may be broken, whenever it becomes the interest of one of the contracting parties to violate his engagement.

The breach of public faith thus announced to the world by Count Bismarck is, if possible, marked by still greater effrontery and is even more at variance with honesty and good faith than that of Prince Gortschakoff. But the minds of both those eminent statesmen are apparently so constituted that they are alike unconscious of the rules of honour which have generally been acknowledged even by diplomatists, and alike indifferent to the penalty which the opinion of mankind generally attaches to the violation of them. In the case of Russia it may at least be argued that the conditions of which she complains were imposed upon her by force of arms, at the termination of a war in which she was defeated, and that they limited the right, otherwise common to all nations, of erecting fortresses on her own coast and launching ships of war in her own harbours. She has therefore, to this extent, a grievance, and it is one which the other Powers have consented to consider in Conference, although the limitation, such as it is, sprang directly from a state of war, which she had herself provoked and begun. But Prussia has no such excuse. She is at the zenith of her power and in the midst of her triumphs. To pretend that the Grand Duchy of Luxemburg can cause her one moment of trouble and apprehension, while she is invading France and besieging Paris with half a million of men, is puerile and ludicrous. It is alleged, we understand, that a train of provisions was allowed to be run by a foreign railway company into Thionville during the siege, and that the Luxemburgers, who have no police and only about 200 soldiers, have not disarmed and imprisoned all the fugitives who reached their territory. If it be true that a few French partisans in Luxemburg have committed acts inconsistent with the neutrality of the Grand Duchy, Prussia would have fair ground to demand that they should be punished or sent out of the country. If the French Consul or Vice-Consul in Luxemburg has misconducted himself, his *exequatur* may be withdrawn, just as in the United States the *exequatur* of British Consuls was withdrawn, and even the British Minister sent away, for acts done during the war between England and Russia which the American Government conceived to be inconsistent with its own neutrality and Foreign Enlistment Act. The remedy for such abuses, if they have been committed, is simple and easy. But we are not aware that the *Government* of Luxemburg has been accused of actions which forfeit its neutrality. The Government can at most be accused of not having shown sufficient vigilance and activity in preventing them. Yet it is against the Government and the whole population of Luxemburg that Count Bismarck directs his menaces; if the neutrality of this little State is attacked by Prussia, it is the State collectively, and its Sovereign the Grand Duke, King of Holland, who are the sufferers. Is this language to be regarded as an intimation that Prussia will take the first opportunity of overthrowing the arrangement of 1867, for the purpose of regaining her footing in one of the strongest fortresses of Europe, and bringing Luxemburg once more under the authority of Germany, from which it was released by the dissolution of the Bund, Prussia's own act, in 1866? That would be simply a rapacious act of conquest by a Power already gorged with the spoils of France; and a conquest the more unjustifiable as it would be wrung from a small neutral State, which is no party to the present war. Or does it simply mean that she is about to take possession of a neutral line of railway, and for such an object as this to trample on her engagements?

But fortunately we are enabled to show that the charges brought by Count Bismarck against the Government of Luxemburg are grossly exaggerated, disingenuous, and unfounded. We have before us a copy of a despatch addressed by M. Servais, the Luxemburg Minister, to Prussia, on the 14th December, and since communicated to the other Powers, in which these charges are effectually rebutted. Throughout the present war the Luxemburg Government has been wisely anxious not to compromise their highly-valued neutrality in the slightest degree. Thus at the end of November they refused, at the request of Prussia, to dispose of some old firearms to a house at Liège, upon a bare suggestion that they might be sent from Belgium to France, and they were thanked by Prussia for this attention. The train of provisions sent on to Thionville, which is now complained of, was a train which passed through Luxemburg *three months ago*, on the night of the 24th September. The Luxemburg Government, conscious that an act of inadvertence had been committed by the railway authorities, reported the fact to the Prussians at the time, when no notice was taken of it. The train was not made up or loaded at Luxemburg, it merely passed through the territory. It was not stopped by the Prussian sentries at the frontier. It contained provisions only, no arms. We doubt if the transit of such a train was any violation of neutrality at all; but if it were so, the blame rests with the Prussians in the first instance. During this campaign, not hundreds, but thousands of trains laden with supplies have passed through

Luxemburg to the German armies, many of them laden with provisions bought in Luxemburg itself. So that the menace of Prussia is not only unjust as regards the little State of Luxemburg, but it is an attack on the rights of neutrality itself, and an attempt to wrest them in her own favour.

So, too, with the French fugitives. A few French soldiers who had escaped from the field of battle took refuge in Luxemburg, and were passed on—not to France at all, but into Belgium. We have yet to learn that it is any breach of neutrality to receive such fugitives, and Count Bismarck himself will hardly pretend that the Luxemburghers were bound to give them up to Germany as prisoners.

As to the complaint against the French Consul, it amounts to this, that relief was given to a few French soldiers, dying of hunger and fatigue, after the siege of Metz, to help them on their way to Arlon or Namur. The charge of enlistment has never been substantiated against the Consul; if that, or any other serious charge had been brought home to him, the Luxemburg Government declare that his *exequatur* would have been withdrawn. To this answer Mr. Servais adds with modest dignity, that there can hardly be a breach of neutrality where there is no hostile intention. The Germans, on their part, have not considered themselves strictly bound by the neutrality they had sworn to respect. German Uhlans in arms have crossed the territory. Wounded German soldiers have been received there. Detached soldiers have even joined the army across it. Luxemburg railway trucks have been used by the German armies and detained. These acts were not complained of (as they might have been) by the Luxemburg Government, because they were regarded as inevitable accidents, not implying any serious violation of the neutrality of the State.

After reading this explanation, we think our readers will agree with us, that the conduct of the Prussian Government is more arbitrary and invidious than we could have conceived it possible. It is the fable of the wolf and the lamb in modern characters. The more paltry and insignificant the cause and the object of this proceeding is, the more utterly unworthy it becomes of the Minister of a great Empire; and Count Bismarck must have a very low opinion indeed of the value of an European treaty and guarantee to break it for so contemptible a pretext. The fact is the more remarkable, as the guarantee he treats so lightly was one *of his own making.*

But on this transaction also, it may be well to refresh the memory of our readers, though less than four years have elapsed since the Convention was signed. The Germans appear to retain a notion that they have some latent claim to Luxemburg, but on this point Count Bismarck's declarations were in 1867 quite explicit. In April, 1867, M. Moustier (then French Minister) stated—

> 'That Count Bismarck had himself admitted that since the break-up of the Germanic Confederation, each of its members has recovered its free and sovereign action; and that neither the Government nor the people of Luxemburg wish to enter the new German Confederation which has been formed under the supremacy of Prussia, and that the Prussian Government has determined not to use any pressure to compel it to do so.' (*Luxemburg Papers, No.* 1.)

So far, so good. We applaud Count Bismarck's excellent resolution. Yet some how or other Prussia evinced an extreme reluctance to withdraw her garrison from this 'free and sovereign' State, and war was on the point of breaking out, as France was resolved to insist on the withdrawal. In this emergency it was Russia that first suggested, on the 24th April, that the basis of the settlement should be 'the neutralisation of the Duchy and the extension to it of the guarantee now enjoyed by Belgium.' (*Luxemburg Papers*, No. 14.) The proposal was recommended by the other neutral Powers, and eventually accepted both by Prussia and France. But it was Prussia that especially insisted on the condition of neutrality, and on the guarantee. Count Bismarck declared to Lord A. Loftus at Berlin, that 'this stipulation was the great consideration to Prussia for the withdrawal of her garrison' (*Papers*, No. 47); and Lord A. Loftus added (4th May), 'No arrangement will be acceptable to Prussia which will not provide for the neutralisation of the Grand Duchy under a European guarantee.'

In the original draft of the Treaty submitted to the Conference, the 2nd Article simply declared that 'Luxemburg was henceforth to be a perpetually neutral State, bound to observe the same neutrality to other States, and that the High Contracting Parties engaged to respect the principle of neutrality stipulated by that Article.' To these words the following clause, much more stringent in its language, was added: '*That principle is and remains placed under the collective (or common) guarantee of the Powers signing parties of the present Treaty, with the exception of Belgium, which is itself a neutral State.*' These words were proposed and introduced into the Treaty at the express demand of Count Bernstorff, *the Prussian Envoy.* Lord Stanley, on behalf of this country, gave a somewhat reluctant assent to them.

It is therefore certain that it was chiefly on the demand of Prussia that the principle of neutralisation under a European guarantee was adopted; yet Prussia is the Power to repudiate this engagement, although all the events which have since occurred in that part of Europe have increased her own power and security at the expense of her neighbours.

These considerations, strong as they are as regards Luxemburg, are not so strong as those which occur to us with reference to the general policy of Europe, and to our own share in it. Great Britian has on several occasions, reluctantly, engaged in negotiations, concluded treaties, and even given guarantees, not for any direct advantage or object of her own, but with a view to the maintenance of peace and law in Europe. Her sole purpose on these occasions has been to protect the weak, to avert war, and to strengthen the authority of those general engagements and contracts on which the tranquillity and progress of the world depend. It was for this reason that she sought in concert with her allies to regulate the succession to the Crown of Denmark, and to maintain the integrity of the dominions of that monarchy. It was for this she fought in the Crimea. It was for this that in 1867, when war was on the point of breaking out between France and Prussia on the question of Luxemburg, England adopted an expedient which was for the time successful, and has at least prolonged the peace of Europe for three years. We assert with confidence that the policy of this country in these transactions was noble and disinterested: but we confess with deep regret that the results of our intervention are not such as to encourage us to repeat it. We have not succeeded in obtaining any permanent security for peace, and we have encumbered ourselves with some onerous obligations, which we cannot defend without great national sacrifices or relinquish without dishonour. And why have these securities failed? Because we were treating with States and Ministers who have not apparently the same conception of truth and good faith that we have; who have ambitions to gratify and selfish objects to gain. The Danish question was settled by the Treaty of 1852, which was signed by Prussia and Austria, as well as by England, France, and Russia. Baron Bunsen reluctantly put his name to it by the express command of the King, but he did not conceal his own opinion and desire that it should be made only to be broken; and it was broken in 1864, when Prussia and Austria invaded Denmark, and wrested from her not only Holstein but Schleswig. So much for that German engagement. The Crimean War ended by the Treaty of 1856, and the limitation described in the preceding pages; we are now told by Prince Gortschakoff that this stipulation is no longer binding. The Luxemburg question was settled by the Convention of 1867. Three years had not elapsed before the war it was intended to avert broke out with increased violence, and Count Bismarck informs us that Prussia will, when she pleases, dispose of the neutrality of Luxemburg. To revert in passing to other transactions, Poland has been crushed, Cracow has been absorbed, Savoy has been annexed, in spite of remonstrances and protests on our part which, as far as treaties went, were unanswerable. The only inference we can draw from these facts is that, in the present state of Europe, not the smallest reliance can be placed on the plighted faith of several of the most conspicuous of the Great Powers, and that in fact they only enter into engagements of this nature with the intention of breaking them when it suits their convenience. It is clear that an agreement entered into by one party who means to keep it with another who does not, is not an equitable contract; and it is one from which a wise man would abstain. With a strange inconsistency, Count Bismarck is signing Treaties with one hand, whilst he is tearing them with the other. What reliance can be placed on the Conventions between the German States, on the conclusion of the present Conference, or on a Treaty of Peace between Prussia and France, if the Treaties of 1856 and 1867 are set at naught with impunity? There are many excellent persons who think that a neutralisation of territory between the two great Empires which are now engaged in internecine war, and more especially of the disputed provinces of Alsace and Lorraine, would be the most satisfactory mode of terminating the contest, and of preventing the renewal of it hereafter. A barrier of neutral territory along the Rhine would, if it were practicable, restrain and protect the States on either side of it. The neutrality of Belgium and Switzerland has been of real advantage to both Prussia and France in the present war, and a blessing not only to the neutral States themselves but to all Europe. Would to God such pacific barriers were always inviolable! But, it must be acknowledged, that these menaces and attacks on the neutrality of the Black Sea and the neutrality of Luxemburg destroy our faith in such engagements. How can this country pledge itself to aid in the maintenance of conditions, which those who are most interested in the observance of

them are ready to violate? How can we risk the peace and honour of Great Britain on so precarious a foundation?

The object of all legislation is to substitute law for force in the government of society; not but that law itself must rely on force in the last resort to execute its provisions; but the knowledge that the law can and will be enforced suffices for the most part to compel men to obey and respect it. The sanction of international law is war. There is unfortunately no other. There are no other means of enforcing international contracts. Hence if they cease to be obeyed and respected from considerations of duty and honour, they have no real force but that which they may derive from the armed strength of those who support them. The decay of those motives of duty and honour is therefore the greatest misfortune that can befall mankind, because it throws us back from a state of peace based on law, to a state of war regulated by force. Once or twice in history the world has dreamed of a council of nations, which should be a high court of justice and chivalry, to redress all wrongs and maintain order by peace; but like the legend of King Arthur's Knights, the lofty conception was marred and destroyed by the unworthiness of those who ought to have upheld it. The evils of a long series of wars had taught men the blessings of peace in 1815, and accordingly the fabric of Europe was reconstructed on a pacific and legal basis, and for nearly fifty years the conditions were tolerably observed, or were seldom, at least, audaciously violated. The blessings of peace have apparently rendered men more impatient of those restraints by which alone peace can be preserved, and, like Luther's drunken peasant on horseback, no sooner is the world thrown back from one side than it falls over on the other. The Emperor Napoleon III. and Count Bismarck are the main authors and instigators of this new and most unhappy era in history, which has blighted the fairest promises of this century. For with the destruction of good faith and honour between man and man, between nation and nation, everything else that is worth living for comes in its turn to be destroyed. 'Populus jura naturæ gentiumque violans suæ quoque tranquillitatis in posterum rescindit munimenta.'

Whatever else may betide, the policy of England stands firm on this immoveable basis, that Treaties, when made, must be respected. No Government which is to exist in this country can abandon those principles: no Government can flinch from the active defence of them. The experience of the transactions to which we have here alluded convinces us more and more that we cannot expect to obtain from the dominant and successful politicians of the day in some foreign countries a full and steady recognition of this rule of conduct. We must wait till the more enlightened conscience of nations, and a keener experience of the consequences of violated faith, bring back our Continental neighbours to a livelier sense of these old truths. Meanwhile it imposes on us the duty of cautiously abstaining from entering into any fresh engagements whatever with States devoid of political principle, and the no less imperative duty of maintaining the positive engagements we have already contracted with the strength and energy of this Empire.

ART. I.—1. *Recollections of a Long Life* (1786–1869). By the late Lord BROUGHTON DE GYFFORD. 5 vols. 8vo. [Not published.] 1865.

2. *The Life of Henry John Temple, Viscount Temple, with Selections from his Diaries and Correspondence.* By the Right Hon. Sir HENRY LYTTON BULWER, G.C.B., M.P. 2 vols. 8vo. London: 1870.

LORD PALMERSTON and Lord Broughton —who was better known to his contemporaries, as he will be to posterity, by the familiar name of John Cam Hobhouse—were born within a few months of each other; the one in 1784, the other in 1786. The lives of both these eminent men were extended to the furthest span of human existence, for they passed the age of fourscore in full possession of their faculties. The time in which their lives were cast was the most eventful period of modern history; and in the parliamentary and administrative service of their country both of them bore a conspicuous part. Although Lord Palmerston entered life as a political descendant of Pitt and Canning, with all the advantages of high birth and early official connexions, whilst Hobhouse sprang from a humbler stock of Bristol merchants and Dissenters, and owed his earlier celebrity to the vehemence of his liberal opinions, they met at last in the Cabinets of Lord Melbourne and Lord John Russell, and no two members of those Administrations more cordially agreed in spirit and in policy, for they had both reached that broad and secure ground of Whig principles on which the Conservative traditions of the one blended with the Radical tendencies of the other.

The life of Lord Palmerston has in part [illegible] vey of Lord Palmerston's political career. The same remark applies to the publication of the first volume of the Autobiography of another veteran of still higher distinction in the ranks of the Whig party, and of peculiar interest to ourselves—we allude of course to the Memoirs of Lord Brougham, written by himself after he had completed his eightieth year. But in this case also we must be content to wait until the work is more advanced. At present our task is altogether different. The volumes before us—five goodly octavos—contain Lord Broughton's own reminiscences of his long and varied life. They were extracted by himself in the years immediately preceding the close of it, from journals and memoranda he had kept in his possession. They contain a vast variety of incident and anecdote, acute sketches of character, animated pictures of parliamentary contests now almost forgotten, and sometimes important elucidations of curious passages in ministerial history. But the form given to this interesting record by its author is not such as to justify its complete publication in its present shape or at the present time. These volumes were printed solely for Lord Broughton's own use, or at most for the amusement of his own family, and to ensure the preservation of them. They have therefore not the strictly confidential character of private manuscripts, but neither were they intended for the public eye: accordingly

after [illegible] enough and more than enough remains to accomplish our principal object, which is to preserve in these pages a memorial of a very honest politician, a high-spirited and accomplished member of society, and an able Minister of the Crown.

John Cam Hobhouse was born on the 27th June, 1786, at Redland, near Bristol. His father was the second son of a Bristol merchant; his mother the daughter of Mr. Cam of Bradford in Wiltshire. The lady was a Dissenter; and so was Miss Parry, his father's second wife. Young Hobhouse was therefore sent in the first instance to a school at Bristol, kept by a Unitarian Minister, Dr. Estlin. His boyhood was spent amongst that highly respectable and intelligent class of English Presbyterians, who were ever cordially attached to the cause of Liberal opinions, then highly unpopular in England, Party spirit never ran higher than it did during the early years of the French Revolution; and the societies of Liberal Dissenters were the most enthusiastic advocates of the cause of freedom. Coleridge and Southey, then in their republican phase, used to frequent Dr. Estlin's modest suppers at Bristol; and Humphry Davy, then an apothecary's assistant on St. Michael's Hill, assisted Dr. Beddoes when he lectured on chemistry to the townspeople.

But notwithstanding these democratic connexions, Mr. Hobhouse the father was a man of property and good family. He stood for Bristol, and was beaten at the election of 1796, but was soon afterwards returned for the borough of Grampound. In 1812 he obtained a baronetcy, which afterwards devolved on his son. This gentleman was intiwhich alone [illegible] like Luther's drunken [illegible] no sooner is the world [illegible] one side that it falls over [illegible] Emperor Napoleon [illegible] are the main authors and [illegible] new and most unhappy era in [illegible] has blighted the fairest [illegible] century. For with the destruction [illegible] faith and honour between [illegible] tween nation and nation [illegible] destroyed. [illegible] violate [illegible] [illegible] [illegible]

world, and he bore away no inconsiderable share of their own glory :—

'The curiosity of curiosities was our own Wellington, on a white horse, in a plain blue frock-coat, a white neckcloth, and a round hat. He was riding between General Stewart and Lord Castlereagh. As soon as his presence was known there was a great bustling and whispering. A friend of mine, who was in the window with the Sovereigns, told me that when it was first known he was there, the Emperors and Kings stretched forward to get a sight of him. I saw the Duchesse d'Angoulême point him out to them ; and when Platow and Sacken were introduced to him, they would hardly let his hand go. I heard afterwards that Platow had said, "Had you been here we should have done this sooner;" to which the Duke replied, "The business could not have been in better hands." I felt, for my own part, an insatiable desire to see him, and ran many chances of being kicked and trampled down to get near our great man. Two Englishmen near me showed as much eagerness as myself to approach him, and one of them as he passed by me said, "Oh, for God's sake, let me see him!—I know you will excuse me, Sir, for this, but I must see him!" Two strangers in plain clothes were introduced to him, and almost kissed the ground at his horse's feet. A crowd gathered round him, and attended him to his lodgings. The Duke had just arrived in Paris, after travelling four days and nights, from Toulouse. I heard that he was much struck with the appearance of the Russian cavalry, and said to Sir Charles Stewart, "Well, to be sure, we can't turn out anything like this." Sir Charles told him, very truly, that they were men picked for the occasion.' (Vol. i. p. 43.)

The sympathies of Hobhouse, ever prone to the popular side, were rather with the conquered than the conqueror; and on the return of Napoleon from Elba he again rushed over to Paris, where he spent the Hundred Days, of which he published an account in 1816. He remained always faithful to the old Whig opinion that the return of the Bourbons was a public calamity not only to France, but to Europe; and he was disposed through life to place a favourable—we think far too favourable—construction on the policy and character of Napoleon, the most pernicious enemy of freedom and of the true greatness of France.

Mr. Hobhouse passed the autumn of 1816 with Lord Byron at the Villa Diodati on the lake of Geneva—a visit of no common interest in the life of both of them, for it was just after the noble poet had quitted England for ever, in consequence of those painful domestic occurrences in which Hobhouse had played a most confidential, conciliatory, and honourable part; and it was then that the third canto of 'Childe Harold' was written. Hobhouse accompanied Byron in many of the scenes and excursions commemorated in the immortal stanzas of that poem; he shared with him the animated society of Madame de Staël's château at Coppet; he entered Italy with his friend; and he subsequently contributed the valuable and interesting notes to the fourth canto of 'Childe Harold,' which are no unworthy addition to the work, and will probably be the most enduring of Mr. Hobhouse's literary performances. Nor can it here be omitted, though he makes no mention of the fact in his Memoirs, that the fourth canto of 'Childe Harold' was dedicated to himself in language which confers by the hand of friendship an imperishable fame. Lord Byron described him as one 'whom he had known long, accompanied far; whom he had found wakeful over his sickness, and kind in his sorrow; glad in his prosperity, and firm in his adversity; true in counsel, and trusty in peril; a friend often tried, and never found wanting; a man of learning, of talent, of shrewdness, and of honour.'

To Italy Hobhouse more than once returned. He was versed in Italian literature, and well acquainted with the character of the Italian people. One of his latest publications, entitled 'Italy in 1816,' was given to the world after his retirement from office in 1860, and has been reviewed in these pages.

It may readily be believed that a young man of fashion and talent, who had seen so much of Europe and of the East before he was thirty, and was in some manner associated with the finest poem and the greatest events of the age—professing advanced liberal opinions and gifted with agreeable social qualities—soon became a welcome guest at Holland House and in the best society of London. In 1814 he was thrown into the full tide of the London world, associated with most of the remarkable men of the day, and had no reason to complain of neglect from either of the dominant political parties. Amongst his recollections of this period those of Sheridan, then verging to his decline, are some of the most curious. For example :—

'Sheridan told us several stories of Kean, then at the height of his fame. Some one made Kean a present of a fine horse on which he was prancing along the Strand. "Take care," said a friend; "you are a good actor, but—" "But what?" asked Kean; "you don't know that I was paid 30*l.* for breaking three horses last year at Brighton." Another time a friend, hearing he was about to give readings of Milton between the acts, at Drury Lane, said, "Kean, stick to Shakspeare; don't meddle with Milton." "Why not?" asked Kean; "I gave readings from Milton three times a week

at Exmouth." As a proof of the universality of his genius, it was mentioned that he had been a fencing-master and a dancing-master, and at Jersey had announced that he should quit the stage and set up a school. He told Mr. Sheridan that when a child he had been applied to in order to bring him out as a rival to Master Betty; but that Sheridan had interposed, saying, "No! one bubble at a time is enough; if you have two, they will knock against each other, and burst."

'Amongst my reminiscences of the year 1814, I find it recorded that Lord Byron, Thomas Moore, and myself, went to the orchestra at Drury Lane Theatre on the 19th of May, 1814, and saw Kean in "Othello." After the play we went to the green-room, and Byron and I were introduced to the great actor.

'I became afterwards well acquainted with Kean, and heard something of his performances from his own mouth. On December 14, 1814, I dined at Mr. Kinnaird's, in company with him and Lord Byron; and on that occasion he mentioned that at Stroud, in Gloucestershire, on one night, he acted Shylock, danced on the tight-rope, sang a song then in vogue called the "Storm," sparred with Mendoza, and then acted Three-fingered Jack. Kean also told us that one night he forgot his part, and repeated the "Allegro" of Milton without being detected by the audience. He gave us admirable imitations of Incledon, of Kemble, of Sinclair, and Master Betty. He concluded the amusements of the evening by dressing up his hand with a napkin, and painting it with cork so as to look like a man, and dancing a hornpipe with two fingers, imitating at the same time a bassoon so wonderfully, that we looked round to see if there was no one playing that instrument in the room with us. I should not think these matters worthy of record, if Kean had not been by far the greatest actor I had ever seen.' (Vol. i. p. 76.)

Here is a memorandum of a dinner at Holland House. Alas! how little can be preserved of the spirit and gaiety of such meetings, even when noted by a contemporary pen:—

'I went in Byron's carriage at seven, and dined at Holland House. There I met Miss Fox, and Martin Archer Shee, the painter and poet. There, too, was Kean, a very handsome little man, with a mild but marked countenance, and eyes as brilliant as on the stage. He knitted his brows, I observed, when he could not exactly make out what was said. There, also, was Grattan. We sat down to dinner, when in came Major Stanhope and Lord Ebrington. Kean ate most pertinaciously with his knife, and was a little too frequent with ladyships and lordships, as was natural in him; but Shee was ten times worse. . . . .

'Shee talked a great deal; I thought, too much. Lady H. asked Kean why all the actors said "Give me *the* hand," as if "*thy*" were "the." Kean said that he never pronounced it so. Kean said that "Iago was three lengths longer than Othello." A *length* is *forty-two* lines. Lord Holland mentioned that he had seen a letter from a midshipman on board the "Undaunted" frigate, in which Napoleon sailed to Elba. The boy said that "Boney was so good-humoured, and laughed, and talked, and was so agreeable, but that the world had been under a great mistake in thinking him a clever man; he was just like anybody else."

'When the women went the conversation turned on public speaking. Grattan gave us a specimen of Lord Chatham's way, which, he said, was colloquial, and, when he saw him, leaning on his crutch, and sometimes dozing; but, when roused by opposition, overpoweringly eloquent.* He was, however, inferior to modern speakers. Pitt, his son, was a better rhetorician. Lord Holland told us that Fox once said to him that Sheridan's speech on the Begums was the finest ever heard in Parliament. Lord H. asked him if his own speech on the Peace was not as good. "That was a damned good speech, too," was the ingenuous reply of this truly great man. Fox used to praise Pitt's speech on the Slave-trade as a fine specimen of eloquence.

'When we went to the ladies the convêrsation was addressed to Kean. Lady Holland asked him if he was not a capital "Scrub." Kean replied that he had not the slightest acquaintance with the part; indeed, he was no comedian, except, perhaps, that he could play Tyke in the "School of Reform," which was a sort of sentimental character. Lord Ebrington and Major Stanhope left us, and then Grattan began to give us, in his inimitably grotesque, forcible, and theatrical manner, the characters of some Irishmen who had figured at the end of the last century. . . . He said that Lord Bellamont, in person, was like a black bull, always butting. He was cursed with a talent for imitation, and selected some one bad habit from each of his friends, so that he was a compound of vicious qualities, or, at least, disagreeable manners. One of these friends always stood with his toes in—Bellamont did the same; another wore black stockings and dirty brown breeches—Bellamont copied this also. He wore his wig half off his head, in imitation of some one else; and, in speaking, he took off the bad manner of some other acquaintance. He had *a watery elocution*, spoke through the nose, and had a face totally insensible to everything he was saying. Mr. Grattan added that he thought Bellamont's wig was dirtier than Curran's hair. He said a deal of a Dr. Lucas, and finished his sketch of him by saying, "When he rose to speak in Parliament, he had not a friend in the House; when he sat down, he had spoken so ill that he had not an enemy."

'During this exhibition Lord Holland and myself were in convulsions of laughter. Kean, notwithstanding every effort, roared outright. Lady Holland gave way, and Miss Fox was in

* Grattan was a student of the Middle Temple in 1770, and entered the Parliament of Ireland in 1775. Chatham died in 1778. Grattan may therefore have heard the celebrated speeches delivered during the American War.

ecstasy. He kept us in this way until half-past eleven, when he took me in his carriage to the Princess of Wales. He was muttering to himself, and slapping his thigh, during our ride, and twisting about into many odd shapes and forms—antics not worth recording, except when it is recollected who Mr. Grattan had been, and, indeed, was at the time I was with him.' (Vol. i. p. 91.)

These volumes do not contain many memorials of Hobhouse's intimate and affectionate friendship with Lord Byron. They are recorded in another place, which we do not propose to touch upon now. Suffice it here to say, that whatever may have been the recklessness and selfishness of Byron to others, he was always the warm and grateful friend of Hobhouse. The last time they met was at Pisa, in September 1822, when Byron took leave of him with the touching words, 'Hobhouse, you should never have come, or you should never go.' At the close of the session of 1823 and early in 1824, Hobhouse became one of the most active members of the Greek Committee in London, when his gifted friend was preparing at Cephalonia and Missolonghi for a more active championship of the Greek cause. Whilst soldiers like Colonel Leicester Stanhope were intent on providing the Greeks with the newest constitutions out of Bentham, Lord Byron was all for fighting, and had actually resolved to attack the Castle of Lepanto as soon as he could collect a sufficient body of troops. How soon were these hopes doomed to be annihilated!

'At a little after eight o'clock on the morning of Friday, May 14, I was awakened by a loud rapping at my bedroom door, and, getting up, had a packet of letters put into my hand, signed "Sidney Osborne," and headed, "By express." There was also a note from Douglas Kinnaird; and, on opening it, I found that BYRON WAS DEAD. The despatch was from Corfu. These letters were from Lord Sidney Osborne to me, from Count Gamba to me, from Count Gamba to Lord Sidney Osborne, and from the Count to the English Consul at Zante. Besides these, there were letters from Fletcher, Byron's valet, to Fletcher's wife, to Mrs. Leigh, and to Captain George Byron; also there were four copies of a Greek proclamation by the Greek Government at Missolonghi, with a translation annexed. The proclamation contained the details which have often been published—the ten days' illness of my dear friend, the public anxiety during those days of hope and fear—his death—the universal dejection and almost despair of the Greeks around him. The proclamation next decreed that the Easter festival should be suspended; that the shops should be closed for three days; that a general mourning for twenty days should be observed; and that at sunrise the next morning, the 20th of April, thirty-seven minute guns should be fired from the batteries to indicate the age of the deceased.

'How much soever the Greeks of that day may have differed on other topics, there was no difference of opinion in regard to the loss they had sustained by the death of Byron. Those who have read Colonel Leicester Stanhope's interesting volume "Greece in 1823 and 1824," and more particularly Colonel Stanhope's "Sketch," and Mr. Finlay's "Reminiscences" of Byron—will have seen him just as he appeared to me during our long intimacy. I liked him a great deal too well to be an impartial judge of his character; but I can confidently appeal to the impressions he made upon the two above-mentioned witnesses of his conduct, under very trying circumstances, for a justification of my strong affection for him—an affection not weakened by the forty years of a busy and chequered life that have passed over me since I saw him laid in his grave.

'The influence he had acquired in Greece was unbounded, and he had exerted it in a manner most useful to her cause. Lord Sidney Osborne, writing to Mrs. Leigh, said, that if Byron had never written a line in his life, he had done enough, during the last six months, in Greece, to immortalise his name. He added, that no one unacquainted with the circumstances of the case could have any idea of the difficulties he had overcome: he had reconciled the contending parties, and had given a character of humanity and civilisation to the warfare in which they were engaged, besides contriving to prevent them from offending their powerful neighbors in the Ionian Islands. I heard that Sir F. Adam, in a despatch to Lord Bathurst, bore testimony to his great qualities, and lamented his death as depriving the Ionian Government of the only man with whom they could act with safety. Mavrocordato, in his letter to Dr. Bowring, called him "a great man," and confessed that he was almost ignorant how to act when deprived of such a coadjutor. . . .

'On Thursday, July 1, I heard that the "Florida," with the remains of Byron, had arrived in the Downs, and I went, the same evening, to Rochester. The next morning I went to Standgate Creek, and, taking a boat, went on board the vessel. There I found Colonel Leicester Stanhope, Dr. Bruno, Fletcher, Byron's valet, with three others of his servants. Three dogs that had belonged to my friend were playing about the deck. I could hardly bring myself to look at them. The vessel had got under weigh, and we beat up the river to Gravesend. I cannot describe what I felt during the five or six hours of our passage. I was the last person who shook hands with Byron when he left England in 1816. I recollected his waving his cap to me as the packet bounded off on a curling wave from the pier-head at Dover, and here I was now coming back to England with his corpse.

'Poor Fletcher burst into tears when he first saw me, and wept bitterly when he told me the particulars of my friend's last illness. These have been frequently made public, and need not be repeated here. I heard, however,

on undoubted authority, that, until he became delirious, he was perfectly calm; and I called to mind how often I had heard him say, that he was not apprehensive as to death itself, but as to how, from physical infirmity, he might behave at that inevitable hour. On one occasion he said to me, "Let no one come near me when I am dying, if you can help it, and we happen to be together at the time."

'The "Florida" anchored at Gravesend, and I returned to London; Colonel Stanhope accompanied me. This was on Friday, July 2. On the following Monday I went to Doctors' Commons and proved Byron's will. Mr. Hanson did so likewise. Thence I went to London Bridge, got into a boat, and went to London Docks Buoy, where the "Florida" was anchored. I found Mr. Woodeson, the undertaker, on board, employed in emptying the spirit from the large barrel containing the box that held the corpse. This box was removed and placed on deck by the side of a leaden coffin. I stayed whilst the iron hoops were knocked off the box, but I could not bear to see the remainder of the operation, and went into the cabin. Whilst there I looked over the sealed packet of papers belonging to Byron, which he had deposited at Cefalonia, and which had not been opened since he left them there. Captain Hodgson of the "Florida," the captain's father, and Fletcher, were with me; we examined every paper, and did not find any will.* Those present signed a document to that effect.

'After the removal of the corpse into the coffin, and the arrival of the order from the Custom-house, I accompanied the undertaker in the barge with the coffin. There were many boats round the ship at the time, and the shore was crowded with spectators. We passed quietly up the river, and landed at Palace Yard stairs. Thence the coffin and the small chest containing the heart were carried to the house in George Street, and deposited in the room prepared for their reception. The room was decently hung with black, but there was no other decoration than an escutcheon of the Byron arms, roughly daubed on a deal board.

'On reaching my rooms in the Albany, I found a note from Mr. Murray, telling me that he had received a letter from Dr. Ireland, politely declining to allow the burial of Byron in Westminster Abbey; but it was not until the next day that, to my great surprise, I learnt, on reading the doctor's note, that Mr. Murray had made the request to the Dean in my name; I thought that it had been settled that Mr. Gifford should sound the Dean of Westminster previously to any formal request being made. I wrote to Mr. Murray, asking him to inform the Dean that I had not made the request. Whether he did so, I never inquired.

'I ascertained from Mrs. Leigh that it was wished the interment should take place at the family vault of Hucknall in Nottinghamshire. The utmost eagerness was shown, both publicly and privately, to get a sight of anything connected with Byron. Lafayette was at that time on his way to America, and a young Frenchman came over from the General at Havre, and wrote me a note requesting a sight of the deceased poet. The coffin had been closed, and his wishes could not be complied with. A young man came on board the "Florida," and in very moving terms besought me to allow him to take one look at him. I was sorry to be obliged to refuse, as I did not know the young man, and there were many round the vessel who would have made the same request. He was bitterly disappointed; and when I gave him a piece of the cotton in which the corpse had been wrapped, he took it with much devotion, and placed it in his pocket-book. Mr. Phillips, the Academician, applied for permission to take a likeness, but I heard from Mrs. Leigh that the features of her brother had been so disfigured by the means used to preserve his remains, that she scarcely recognised them. This was the fact; for I had summoned courage enough to look at my dead friend; so completely was he altered, that the sight did not affect me so much as looking at his handwriting, or anything that I knew had belonged to him.' (Vol. i. pp. 140–143.)

The funeral started from Nottingham on the 16th July. Hodgson the translator of Juvenal, and Colonel Wildman of Newstead, attended as mourners.

'The Mayor and Corporation of Nottingham joined the funeral procession. It extended about a quarter of a mile, and, moving very slowly, was five hours on the road to Hucknall. The view of it as it wound through the villages of Papplewick and Lindley excited sensations in me which will never be forgotten. As we passed under the hill of Annesley, "crowned with the peculiar diadem of trees" immortalised by Byron, I called to mind a thousand particulars of my first visit to Newstead. It was dining at Annesley Park that I saw the first interview of Byron, after a long interval, with his early love, Mary Anne Chaworth.

'The churchyard and the little church of Hucknall were so crowded that it was with difficulty we could follow the coffin up the aisle. The contrast between the gorgeous decorations of the coffin and the urn, and the humble village-church, was very striking. I was told afterwards that the place was crowded until a late hour in the evening, and that the vault was not closed until the next morning.

'I returned to Bunny Park. The corporation of Nottingham offered me the freedom of the town, but I had no inclination for the ceremonies with which the acceptance of the honour would have been accompanied; I therefore declined it.

'I should have mentioned that I thought Lady Byron ought to be consulted respecting the funeral of her husband; and I advised Mrs. Leigh to write to her, and ask what her wishes might be. Her answer was, if the deceased had left no directions she thought the

* This is at variance with the preceding statement that Hobhouse had just proved Byron's will. It probably means that there was no other testamentary instrument.

matter might be left to the judgment of Mr. Hobhouse. There was a postscript, saying, "If you like you may show this."

'I was present at the marriage of this lady with my friend, and handed her into the carriage which took the bride and bridegroom away. Shaking hands with Lady Byron, I wished her all happiness. Her answer was, "If I am not happy it will be my own fault."' (Vol. i. p. 145.)

We have not thought ourselves called upon in this Journal to take any part in the controversy which recently occupied several of our contemporaries as to the alleged causes of Lady Byron's alienation from her husband. The curiosity and credulity which prey upon the remains of genius and explore the recesses of forgotten slanders are not to our taste. When Hobhouse read the horrible libels published after Lord Byron's death by a ruffian who had extorted money from him, his first impulse was to take this thankless villain in hand himself. But he adds: 'I did not do this. I remembered what was said to the assassin who tried to murder Harley, and who asked the Duke of Ormond to kill him at once: "Ce n'est pas l'affaire des honnêtes gens; c'est l'affaire d'un autre."' We shall therefore content ourselves with transcribing the following paragraph, which is decisive as to Mr. Hobhouse's opinion on the subject:—

'At this time (April and May, 1830) I had much of my time taken up by looking after Lord Byron's affairs, and taking advice as to the expediency of giving some public refutation to a charge made, as was stated, by Lady Byron, in regard to the separation between Byron and his wife. The attack on Lord Byron, on the authority of Lady Byron, was countenanced by Tom Campbell, who was a first-rate poet, no doubt, but a very bad pleader, even in a good cause, and made therefore a most pitiable figure when he had no case at all. I consulted friends, and amongst them Lord Holland, who strongly recommended silence; and did not scruple to say that the lady would be more annoyed if she were left unnoticed, than if, whether wrong or right, she had to figure in a controversy. I was far from wishing to annoy her at all; my sole wish was to do my duty by my friend; and I hope I have done that sufficiently by leaving behind me, to be used if necessary, a full and scrupulously accurate account of the transaction in question. I shall content myself here with asserting that it was not fear, on the part of Lord Byron, that persuaded him to separate from his wife. On the contrary, he was quite ready to "go into court," as they call it.' (Vol. i. p. 441.)

The death of Byron placed the Greek Committee in considerable embarrassment, and at one moment Hobhouse himself was on the point of starting for Greece to manage the loan. Difficulties were, however, raised by Mr. Joseph Hume, and this plan was abandoned. The following picture of that individual, who was so much better known to the last generation than he is to the present, is not a flattering one; but it would be hard for anyone who knew him well to dispute the truth of it:—

'Joseph Hume had many valuable qualities, mixed up with some eccentricities which bordered upon moral perversity. As a political associate he was unsafe, and, although his assaults were vigorous and successful enough, it was better to have to deal with him as an enemy than a friend. As he cared little for invectives against himself, he was not aware of the effects which his own intemperate talk might produce on others. Not only was his language coarse and absurdly inaccurate, but his intellect was obtuse to a degree seldom, if ever, found in a man who had been busily employed his whole life in affairs of the utmost importance. He was of great service, previously to passing the Reform Bill, in sifting and exposing occasionally the estimates; and being a man of indefatigable industry, collected a vast mass of materials which he could sometimes skilfully employ. He, like Sir James Graham, Sir Robert Inglis, and one or two others, was essentially a part of the House of Commons for many years; and I recollect a saying of Sir Robert Peel, that he could not conceive a House of Commons without a Joseph Hume.' (Vol. i. p. 150.)

Eventually Mr. Henry Lytton Bulwer went out in the 'Florida,' in place of Hobhouse, and subsequently published an account of his mission of 1824. It is remarkable that we should now, at an interval of forty-seven years, have the pleasure to welcome another literary production of that accomplished diplomatist.

The Byron episode has led us to anticipate in some measure the earlier years of Hobhouse's political life, and to these we must now return. The city of Westminster may justly be regarded as the cradle of Parliamentary reform. When Whigs stood aloof, and Brookes' frowned, and the most liberal ministers of the day were on the side of the old Borough system, a committee of Westminster tradesmen, led by Mr. Brooke, the glass manufacturer in the Strand, Mr. Adams, the coach-builder in Long Acre, and Mr. Place, the tailor, and friend of Bentham, at Charing Cross, had begun to fight with success the battle of Reform. They had brought Sir Francis Burdett into Parliament in 1807, and on the death of Sir Samuel Romilly in 1818 they offered the vacant seat to Mr. Hobhouse. He failed, however, on that occasion. 'Citizen Place,' who was proud of his pen, wrote a bitter appeal which irritated

and divided the party, and Mr. George Lamb, a brother of Lord Melbourne's, carried the day. This election, however, brought Hobhouse into notice. He became a member of a political dinner club called 'The Rota,' to which Bickersteth, Burdett, Douglas Kinnaird, Sir Robert Wilson, &c., belonged. The object of this society was to discuss and promote the work of Parliamentary, or as it was then first called, 'Radical' Reform, and that adjective has given its name to a party throughout the world. A pamphlet was concocted at one of these meetings in answer to an intemperate anti-reform speech of Mr. Canning's. Canning attributed it to Sir Philip Francis, and was very angry; but it was in fact written by Hobhouse. Another pamphlet also written by him in answer to one by Lord Erskine, gave rise to more serious consequences. A member of the House of Commons drew attention to a passage which he erroneously conceived to convey a threat of personal violence against the House.* Party ran very high. The Westminster reformers were regarded as incarnate demons of revolution; and as the publisher of the pamphlet was authorised to give up the name of the author at the Bar of the House, the House at once voted it to be a contempt and a breach of privilege, and sent Mr. Hobhouse to Newgate. Sixty-five members, who were chiefly Whigs, voted against this arbitrary sentence. The motion was made by Mr. Courtenay, afterwards Earl of Devon, who many years afterwards in proposing the health of Lord Broughton at his daughter's marriage, took occasion to refer to what he was then pleased to call his distinguished career. Distinguished or not, it began in Newgate, when it was an honour to be sent there; and there he remained till the death of George III. caused a dissolution of Parliament, opened his prison doors, and secured his speedy return for Westminster as the popular and persecuted candidate at the ensuing general election. He retained that highly honourable position of member for Westminster for nearly thirteen years. During the greater part of that time his colleague was Sir Francis Burdett, and there are yet living, we trust, many of our friends who can remember what the good old cry of 'Burdett and Hobhouse for Westminster' meant.

'During the early part of my Parliamentary life my principal associate—indeed, my constant guide—was my friend and colleague. Sir Francis Burdett was endowed with qualities rarely united. A manly understanding and a tender heart gave a charm to his society such as I have never derived in any other instance from a man whose principal pursuit was politics. He was the delight both of old and young. There was no base alloy in his noble nature. His address was most pleasing and unaffected, his manners most gentle; and yet where energy and decision were required he assumed a quiet but determined superiority which few were willing or able to contest.

'As a parliamentary orator he was, to my mind, without an equal. A lofty stature, a mellifluous voice, a command of language easy and natural, but at the same time most impressive; sincere, and spoken from the heart as well as the head. He never used a note or consulted a paper of any kind. He never hesitated for a word, but he was never diffuse. I accidentally heard the opinions of two of his parliamentary contemporaries in regard to his oratory,—Mr. Canning and Mr. Tierney; each of them, on different occasions, placed Sir Francis Burdett very nearly, if not quite, at the head of the orators of their day.' (Vol. i. p. 112.)

We must pass lightly, for the way before us is long and interesting, over the first ten years of Hobhouse's public life, though they were marked by several important events, the Canning Ministry, Catholic Emancipation, and the steady progress of the Reform party in the House of Commons, where our autobiographer played no inconsiderable part. He took an active share in debate. His speeches laid no claim to high-flown eloquence, but they were full of good sense, and they were expressed with a sharpness of wit that made him a formidable antagonist. He was not afraid to cross swords with Canning in a passage of studied sarcasm and invective, to which Canning made no reply; and some of his *bon mots* were long remembered. It was on one of these occasions that Hobhouse first applied the expression 'His Majesty's Opposition' to the anti-ministerial side of the House. Canning took up the expression as a happy one; and Tierney expanded it by saying, 'No better phrase could be adopted, for we are certainly a branch of His Majesty's Government. Although the gentlemen opposite are in office, we are in power. The measures are ours, but all the emoluments are theirs!' But the joke originated with Mr. Hobhouse.

It was in one of these debates of the præ-Reform period that Canning in the course of an elaborate defence of the Borough system

* The sentence which called down on Hobhouse the indignation of the House and was voted a breach of privilege was as follows:—'What prevents the people from marching to the House, pulling the Members out by the ears, locking the door, and flinging the key into the Thames?' This interrogation was construed into an incitement to revolt. The answer to the question was given in the next line '—*Knightsbridge Barracks.*'

urged that it formed an essential element of the British Constitution, since it had

'Grown with our growth, and strengthened with our strength.'

Sir Francis Burdett took up the quotation in reply, and said, 'The Right Honourable Gentleman doubtless remembers the first line of the distich he has cited, and that it is

'"The young disease, which must subdue at length,
Grows with our growth and strengthens with our strength."'

Canning acknowledged that the retort was a happy and a just one.

The year 1830 was destined to witness changes of a momentous character. William IV. ascended the throne of England; Charles X. was driven by a revolution from that of France; the Belgian revolution followed; England was agitated to an unprecedented degree; and before the end of the year the Duke of Wellington's Ministry collapsed and the Reform Ministry of Lord Grey was in office.

It was at this time (4th November) that M. Vandeweyer, one of the Belgian Provisional Government, first arrived in London. He knew no one, but he had letters of introduction from Mr. Bulwer, and he called on Hobhouse. 'He appeared to me,' says our author, 'a very straightforward intelligent young man,' and this circumstance led Hobhouse to take a warm interest in Belgian independence. The following account of an interview between the young emissary and the old Duke is curious:—

'Mr. Vandeweyer told me that the Duke of Wellington had written to him a very polite note in the morning, asking to see him. He went, and was much surprised, so he told me, to see an infirm old man in an arm-chair, from which he raised himself with difficulty to receive him. He gave me an account of what passed between them. "Although," said he, "I am no diplomatist, I knew there was an advantage in not speaking first; and, as the Duke had invited me, and I had not invited myself, I remained silent. So did the Duke for a short time, and then began to talk. He showed that he knew what had passed between Lord Aberdeen and me, and between the Prince of Orange and me. He was extremely civil, and said, 'Je vous donne ma parole d'honneur qu'il n'y a pas la moindre intention de notre part de nous mêler dans vos affaires.' He added that the Conference of which I had complained had quite another object; and then the Duke said that 'he hoped the Belgians, in choosing a form of Government, would take care not to give cause for disquiet to neighbouring nations.' I answered that we 'should take care of that, provided there was no intervention; but that, if there was, we should infallibly throw ourselves into the arms of France.' 'That,' replied the Duke, 'would infallibly lead to a general war; besides which, the French would act in concert with us, and would not accept you.' I said, 'We are aware that, at first, the French Government would not accept us; but we should appeal to the French People, and, in a short time, the Government would accept us. As for the war, the people would fight their own battles, and have nothing to fear.'". . .

'I asked Vandeweyer whether, under all the circumstances, he would wish me to bring on my Belgian motion. He answered "Yes," and he then told me that he had been chosen Member for Brussels. I shook hands with him, and begged him to take care of himself. He appeared to me a most amiable, most honourable, and most intelligent man; and five-and-thirty years of intercourse with him have not altered the opinion that I then formed of him.' (Vol. ii. pp. 50–52.)

We have never heard any explanation of the fact that on the formation of Lord Grey's Government to carry the Reform Bill, Sir Francis Burdett and Mr. Hobhouse, who were certainly two of the oldest and staunchest Reformers in Parliament, were not invited to join it. 'It was soon known,' says Hobhouse after the Duke's resignation, 'that the King had sent for Lord Grey, *whom Sir Francis Burdett had seen.*'

'Lord Durham (Privy Seal that is to be) told me that all was going well and nearly settled. Going home soon afterwards, I received a note from him, saying that Lord Grey *would like to see me the next day.* Accordingly I went to his house, and waited there some time, but *came away without seeing him.* I was, for once, wise enough to say nothing about this, neither at the time, nor ever afterwards; although many explanations were offered to me subsequently by those who, whatever they were before, became my intimate official friends.' (Vol. ii. p. 57.)

This is a curious passage; for it shows that Burdett and Hobhouse were thought of (as was natural) but not employed. But they gave a firm and unwavering support to the Government, and they used their influence in the most serviceable manner by moderating the violence of their own followers.* Then came the Bill.

'At last came the great day—Tuesday, March 1. I went to the House at twelve o'clock, and found all the benches, high and low, on all sides, patched with names. With much difficulty I got a vacant space on the fourth bench, nearly behind the Speaker, al-

* A peerage was subsequently offered by Lord Grey to Sir F. Burdett. He was gratified by the offer, but declined to leave the House of Commons.

most amongst the Opposition and the Anti-Reformers.

'Lord John Russell began his speech at six o'clock. Never shall I forget the astonishment of my neighbours as he developed his plan. Indeed, all the House seemed to be perfectly astounded; and when he read the long list of the boroughs to be either wholly or partially disfranchised, there was a sort of wild ironical laughter, mixed with expressions of delight from the ex-Ministers, who seemed to think themselves sure of recovering their places again immediately. Our own friends were not so well pleased. Baring Wall, turning to me, said, "They are mad; they are mad!" and others made use of similar exclamations,—all but Sir Robert Peel; he looked serious and angry, as if he had discovered that the Ministers, by the boldness of their measure, had secured the support of the country. Lord John seemed rather to play with the fears of his audience; and, after detailing some clauses which seemed to complete the scheme, smiled and paused, and said, "More yet." This "more," so well as I recollect, was Schedule B, which took away one member from some boroughs that returned two previously. When Lord John sat down, we, of the Mountain, cheered long and loud; although there was hardly one of us that believed such a scheme could, by any possibility, become the law of the land. . . .

'We all huddled away, not knowing what to think—the Anti-Reformers chuckling with delight at what they supposed was a suicidal project, and the friends of Ministers in a sort of wonderment. I recollect that a very good man, Mr. John Smith, a brother of Lord Carrington's, caused much amusement by saying that Russell's speech made his hair stand on end.

'Lord Howick and others asked me if I was satisfied. I told them I did not know what to say to the 10*l.* qualification for householders in towns. Sir Robert Peel, with his usual quickness and sagacity, took care, at the end of the debate, to ask for an explanation of this part of the scheme, which, certainly, partook more of disfranchisement than any other reform, and was calculated to make the whole plan unpopular.

'Burdett and I walked home together, and both agreed that there was very little chance of the measure being carried. We thought our Westminster friends would oppose the 10*l.* qualification clause; but we were wrong; for, calling the next day on Mr. Place, we found him delighted with the Bill, and were told that all our supporters were equally pleased with it. We were told that a Westminster public meeting was to be called immediately, to thank and congratulate the King.' (Vol. ii. pp. 77–79.)

We shall not attempt to follow our author through his animated descriptions of the debates on the first Reform Bill. Nothing retains less of its original life than a Parliamentary discussion in the pages of history. The scene itself is all action—the tone of the speakers, the emotion of the audience, and the uncertainty of the result, raise the feelings of those who are present to the highest pitch of excitement; but the fire is soon burnt out, and but little remains of the most splendid displays of oratory and passion. The great trial of strength came at last on General Gascoyne's motion that the number of knights, citizens, and burgesses for England and Wales ought not to be diminished. The end seemed at hand, for on the 20th of April the Government were beaten by eight votes. Two days afterwards Hobhouse learned that the King was resolved to come down in person to thank Parliament for granting the Civil List and to dissolve it. Sir Richard Vivyan was in the act of delivering a furious and factious speech against Ministers. He was called to order by Burdett and Tennyson, but in vain.

'Vivyan again spoke; the cannons announced the approach of the King; and at each discharge of the guns the Ministerialists cheered loudly, as if in derision of the orator's solemn sentences. At last the roaring of the cannon, the laughter, and our cheering fairly beat the Baronet, and he suddenly sat down.

'Peel, quite beside himself, now jumped up; so did Burdett. The Speaker, not quite fairly, called on Peel, and Lord Althorp rose. The calls for Peel, Burdett, Althorp, and Chair, now were heard in wild confusion. The floor was covered with members; half the House left their seats, and the Opposition seemed perfectly frantic; William Bankes looked as if his face would burst with blood; Peel stormed; the Speaker was equally furious; Lord Althorp stood silent and quite unmoved. At last the Speaker recovered himself, and said, "I am quite sure I understand what the noble Lord moves—he moves that Sir Robert Peel be heard." Althorp assented, and, after some more shouting and screaming, Sir Robert Peel was heard. The Black Rod cut short his oration just as he seemed about to fall into a fit. Then the Speaker, with a face equally red and quivering with rage, rose, and, followed by many members, went to the Lords. But Peel was not the only over-excited performer on that day; for Sir Henry Hardinge crossed the House, and said, "The next time you hear those guns they will be shotted, and take off some of your heads. I do not mean yours," said he to me, "for you have been always consistent; but those gentlemen," pointing to the Ministers. The Speaker returned and read the Royal Speech at the table—it was an admirable speech indeed.

'Lord Althorp, Sir James Graham, and myself, walked away together, and stopped to see the King pass the door of the hat-room. He was much cheered; but the crowd was not great. Lord Althorp said to me, "Well, I think I beat Peel in temper;" as, indeed, he had most completely.

'We were joined in Palace-yard by Lord Goderich, who told us that the scene in the House of Lords had been more disgraceful than that in the Commons. Lord Londonderry had shaken his fist at the Duke of Richmond; and the Lord Chancellor had been hooted by the Opposition Peers when he left the woolsack, and Lord Shaftesbury had been voted into his seat. Lord Tankerville told me that the angry Lords would, without the least scruple, have voted off the Ministers' heads that day. All this fury and despair were not surprising when we remember that the party who had been in possession of power so long now saw that their hold on that power, through the borough system, was about to leave them—never to return. The firmness of the King had dispelled the last illusion of the Anti-Reformers, who, to do them justice, did not give way until all resistance was hopeless.' (Vol. ii. pp. 103–105.)

On the 11th of August, 1831, Sir Benjamin Hobhouse died and his son succeeded to the baronetcy. A short time afterwards, in February 1832, Lord Althorp was authorised by the Cabinet to propose to Sir John Hobhouse to take office as Secretary at War. The office was not particularly agreeable to him, especially as he stood committed to strong opinions against flogging in the army. But a sense of duty to his friends and to the party prevailed, and he accepted the appointment to their great satisfaction. The King gave him a most gracious reception when he kissed hands and said, 'I trust your manners will be as pleasing in intercourse on public matters, as your father was in private life.' He was then sworn of the Privy Council with the usual formalities. It is important to remark that this proposal of office by Lord Althorp was accompanied by a positive assurance that *Ministers would carry the Reform Bill*, though their own tenure of office was not likely to be permanent. The position of Lord Grey and his colleagues was peculiar and even unprecedented. They had not the ordinary resource of withdrawing from office. They stood pledged to the country to carry the measure, which implied that they were bound to employ the means necessary to carry it. But on the nature and extent of those means they were not at all agreed among themselves, as Hobhouse soon found out. Although he was not in the Cabinet, the assurance given him by Lord Althorp gave him a right to insist on the adoption of decisive measures, and throughout this critical period he advocated with great energy the creation of Peers as indispensable to ensure the result. The following important conversation explains his position:—

'The House of Commons met at twelve the next day (11th February). Going down to Westminster, I met Lord Howick, who said he wanted to speak with me; and, accordingly, we walked together for some time. He told me that he had had a conversation with his father the night before, and that Lord Grey still hesitated about creating Peers previously to the second reading. Lord Howick said that his father was not aware of the consequences of rejecting the Bill; and that, in fact, he was not aware even of the paramount importance of the measure itself, and confessed that, had he known what would ensue, would never have embarked in it. Lord Grey added, that, up to a certain time, he and all the Cabinet were resolved upon the creation of Peers; but that Brougham fell ill, and then took fright, which was communicated to Lord Grey. Now Lord Brougham had recovered from his panic, and Lord Grey had his doubts. He was most decidedly adverse to swamping the peerage, and desired to retire from office. He did not seem aware that he could not do that without losing his character, and risking the ruin of the country. Lord Howick concluded by begging me to call on his father, and state my opinion. I said, "I would do so;" and added that, "if the Bill was allowed to be lost, I should consider that the Cabinet had broken its pledge with me, made through Lord Althorp, and that I should be wantonly sacrificed." Lord Howick assented to this view, and repeated his entreaties that I would see Lord Grey at once—not a moment was to be lost. Some of the young men who were to be called to the Upper House had begun to cool; others might refuse, and it would take some time to make out a fresh list. I replied that I should prefer a meeting of Members of Parliament to advise Lord Grey. Lord Howick remarked that his father would not like that; he would call it dictation, and would prefer friendly advice given privately. I confess I was mightily surprised, and not a little alarmed, that a man with so much power, so much honesty, and so much intellect, should be so indifferent to his own glory and to the best interests of the country. I went to Sir Francis Burdett, and had a long conversation with him. He felt as I did; and wrote to Lord Grey. He told me that I ought to save myself, and resign office the moment I discovered that it was intended to risk the loss of the Bill, by not doing that which the Administration had the power of doing. Sir Francis added "that taking this course might, perhaps, destroy the Government; but the fault would not be mine. To sacrifice me would not save them, nor ought they to be saved."

'This day I dined at the Speaker's—my first Ministerial dinner. I sat between Charles Grant and Poulett Thompson, and had some serious talk with them both, and told them what I had resolved to do. Taking Grant afterwards to the Duke of Sussex's conversazione (of F.R.S.) at Kensington, I told him I should go to Lord Grey before the Council the next day, and would resign office if I was not assured that the Bill was to be carried. He said I was quite right. I spoke to him, as one of

the Cabinet, with the utmost freedom and unreserve, for I felt that it was absolutely necessary to take some decisive step. I thought the creation of Peers, were it ever so objectionable, was nothing in comparison with the consequences of rejecting the Bill, and bringing back the old set and the old system.

'The next day I called on Lord Durham. He told me that on the previous Thursday he had, through Lady Durham and Lady Grey, conveyed to Lord Grey his intention of resigning, unless the Bill was made quite safe in the House of Lords. He assured me that, when he persuaded me to accept office, everything was decided upon. As many Peers as were thought requisite were to be made, either at once, or by degrees; and on this the whole Cabinet seemed determined, but Brougham's illness made him flinch, and his flinching raised doubts in Lord Grey; and both together revived the hesitation in that portion of the Cabinet that had originally objected to the creation of Peers. It seemed that the Duke of Richmond, although as strong for Reform as any member of the Cabinet, was still very averse to the creation of Peers. Lord Melbourne also was against, also Lord Palmerston; and, strongest of all John Russell—a discovery which, Lord Durham said, he had made only a day or two ago. The others were for the creation, Lord Holland strongly. Stanley (so long as Lord Grey approved) also for it. Lord Goderich very manfully; also Graham, and Grant, and Durham. These, with the Lord Chancellor and the Prime Minister, were, of course a majority. However, when the Lord Chancellor seemed to waver, matters took another turn; but when he became right again, their prospects improved.' (Vol. ii. pp. 179–182.)

Lord Durham, whose confidence in his father-in-law was limited, and who was irritated because he did not get as much credit for his own share in the Bill as he thought he deserved, confirmed these particulars, and added that the Cabinet was not kept together without the greatest difficulty. Lord Althorp allayed Hobhouse's apprehensions by assuring him that 'Brougham and I will go out also, unless we have a moral certainty of carrying the measure;' and he seemed pleased with this chance of quitting office. But to this Hobhouse replied that 'if it was generally suspected he might have carried the measure, and would not do it, he would be stoned in the streets; and if the other party came in there was no small chance of his coming to the scaffold.' Althorp calmly rejoined, 'I think so, too; I have long thought so.' Upon another occasion Lord Althorp concluded a similar conversation by saying:—

'That he would carry the Bill, but he would not promise to remain in power afterwards. He talked very confidentially of his own repugnance to office, and declared that "it destroyed all his happiness;" adding that "he had removed his pistols from his bedroom, fearing that he might shoot himself." Such are the secrets of the human breast! Who could have imagined that this could ever have entered into the head of the cool, the imperturbable, the virtuous Althorp? It served, however to increase my alarm as to the great question itself, and I urged, in every way, the necessity of adding to the peerage. He assured that "this would be done, if it were indispensable. If I doubted him, I had better see Lord Grey, and learn the fact from him. He would give me his word that all I wanted would be done. The Bill would pass." I took my leave of this excellent man with greater admiration of him than ever.' (Vol. ii. p. 187.)

Yet one more of these most remarkable interviews:—

'Althorp said, "I must decide what I will do—resign, because my colleagues will not make Peers; or stand the risk with them. If the latter, and we are beaten, I can never show my face again. If the former, I know the Government is dissolved, and the Bill is lost, and perhaps a revolution ensues. I tell you" (added the excellent man, with much feeling and earnestness) "I have long felt that uncontrollable circumstances were advancing me to a position to which my capacity is unequal; and I now feel that I have not the mind which is required for a man in my station. I do not allude to my conduct in Parliament. There, I think, I have succeeded in a line altogether new and untried before. I allude to my management out of the House, and more especially in consulting with my colleagues. Then I find I have not character enough for the great emergency out of which we are to extricate ourselves." . . .

'I told him that, if he threatened to resign unless Peers were made before the second reading, the Cabinet would yield. "I do not know that," said he; "they would rather go out with me; and then comes a revolution;" and he then added gravely, "I do not know whether I ought not to make matters easier by shooting myself." "For God's sake!" said I, "shoot anybody else you like."' (Vol. ii. pp. 198, 199.)

Even at this distance of time, and after the publication of Lord Grey's correspondence with William IV., we doubt whether it is known how critical the state of affairs was at that moment and how intense the differences in the Cabinet had become. Let us vary the narrative by a more pleasing picture:—

'On the following Monday (26th March) I dined at Kensington Palace with the Duchess of Kent. The party was numerous: Lord Durham, Lord and Lady Surrey, the Duke of Somerset and Lady C. St. Maur, Lord Radnor, Sir John Sebright, the Duke and Duchess of Leinster, and Sir John Conroy. The Princess Victoria sat on her mother's right hand. Sir

John Conroy, the Controller of H.R.H.'s household, sat at the bottom of the table. Lord Durham handed the Duchess into dinner.

'The young princess (her present majesty) was treated in every respect like a grown-up woman although apparently quite a child. Her manners were very pleasing and natural, and she seemed much amused by some conversation with Lord Durham, a manifest favourite at Kensington.

'When she left the company she curtsied round very prettily to all the guests, and then ran out of the room. What will become of this young, pretty, unaffected child in a few, few years? . . . . .

'An interval of thirty-three years, a reign of twenty-eight years—some of them in very difficult, if not dangerous times—and the greatest of all calamities that can befall a woman and a queen, have not deprived her of the smile, the kind and gracious smile, which charmed me in those long bygone days, and with which she received an old servant and subject only two days ago [15th May, 1865].' (Vol. ii. pp. 220, 221.)

In spite of Hobhouse's distrust of the amicable intervention of Lord Wharncliffe and Lord Harrowby, they did succeed in carrying the second reading of the Bill. But this success was of short duration. Lord Melbourne wisely said, 'it was not all over yet;' and on the first division in Committee the Government were beaten. Ministers resigned. Sir John had his audience to take leave of the King, who told him that 'he knew he had too much property to lose to wish for, or assist in, a convulsion;' to which the Baronet replied, that 'His Majesty had not a more loyal subject than himself.'

The Duke of Wellington's attempt to form a Ministry broke down at once, as everyone knows, but the first great obstacle to it was Peel's refusal to join it. The Duke of Wellington had told Alexander Baring, who was to have been Chancellor of the Exchequer, that 'he should think himself unfit to crawl on earth if he did not stand by the King, even at the expense of his own consistency; and that he had resolved to carry the Reform Bill, as an inevitable measure, in all its main provisions—indeed, a Bill, probably more extensive than that which Lord Grey would now grant.' The King was resolved to pass the Reform Bill, and made that a condition of giving office to the Duke; what he objected to was the making of Peers. Such a scheme deserved to fail and it did fail; but it cleared the way for the adoption of the Bill, and the Peers were *not* created.

Sir John Hobhouse was not a mere *hustings* Reformer, nor did he confine himself to supporting the legislative measures brought forward by the Government. On the contrary, he applied himself with great energy to the more obscure and difficult task of reform in his own office, the War Department. He succeeded in obtaining the assent of the King and the Cabinet to a Pension Warrant which reduced the charges on what was termed the 'dead list.' He abolished sinecures and induced the King to surrender the Governorships of Berwick and Kinsale, to which His Majesty wanted to appoint two of his own sons. He restricted flogging in the army to certain defined misdemeanours, and proposed to take away the power of flogging from regimental courts-martial. And he had prepared a scheme for the reduction of the land forces by about 5,000 men. In all these reforms he had to encounter the steady resistance of Lord Hill and Lord Fitzroy Somerset at the Houseguards and an opposition scarcely less steady from the Prime Minister. Lord Grey used language that convinced Hobhouse that 'he had another Lord Hill to deal with;' and the proposed reduction of the army ended in an augmentation, which was required by the state of Ireland and by the necessity of providing for the tranquillity of the West Indies during the critical period of Slave Emancipation.

These discussions rendered the position of Sir John Hobhouse exceedingly disagreeable to him. He frequently desired to resign, but was dissuaded by Lord Althorp, who threatened to go out with him. Mr. Stanley, who had recently brought in two great measures for the reform of the Irish Church and for a Coercion Bill in Ireland, was equally dissatisfied with his position as Irish Secretary; and it was eventually arranged that Hobhouse should succeed him in that office. On the 28th of March, 1833, he kissed hands on this new appointment. But he was not destined to hold it long. Within a month, the Radical party brought forward a proposal for the abolition of the House and Window Taxes, a measure which was highly popular with the Westminster electors and to which Hobhouse himself stood committed. He declared to his colleagues that he could not vote with them in opposing the Resolution, and conscious of the awkwardness of his new position, he resolved to resign both his office and his seat. This honest and energetic step was warmly combated by his friends both in and out of office; but he was convinced in his own mind that he was right. He acted on his convictions; he was abused by both parties for doing so; he quitted his office; and the electors of Westminster repaid his manliness and consistency by electing his old opponent Colonel Evans to the seat he had vacated.

Sir John Hobhouse did not return to office

under Lord Grey, but in that interval a transaction occurred to which we desire to advert more particularly because it has been very commonly misrepresented, to the prejudice of a very able and excellent man, the late Lord Hatherton (then Mr. Littleton), who succeeded Hobhouse as Irish Secretary; and because it was the immediate cause of the dissolution of the Ministry. The renewal of Lord Grey's Irish Coercion Bill in the following year, 1834, was debated with extreme warmth. The powers vested in the Lord-lieutenant by the original Act were extraordinary. Lord Wellesley said of them, that they were 'far more formidable to himself, than to the Irish people,' for he had to decide on the propriety of exercising them; in point of fact, he had not exercised them at all. In the course of the debate on the 3rd of July, 1834, as is stated by Lord Broughton, O'Connell and Mr. Littleton contradicted each other flatly, and the Irish Secretary was accused of great imprudence, or something more, in having made a communication to O'Connell which he was not justified in making. A similar statement is made by Lord Palmerston in a letter to his brother William, published by Sir Henry Bulwer. It is desirable that the truth should be accurately known on this subject, and as we have before us the whole of the original correspondence that passed on the occasion, we are enabled with certainty to relate it.

A Bill for the renewal of the Coercion Act in all its extent was contemplated, when Mr. Littleton stated to Lord Wellesley, then Lord-lieutenant of Ireland, in a letter dated 19th June, 1834, that in his opinion the Irish Government was not likely to require any other extraordinary powers than those that were directed against agrarian disturbances. This suggestion was made at the instigation of Lord Brougham, the Chancellor, who wrote himself to Lord Wellesley to the same effect on the same day. It was therefore proposed to omit from the bill the clauses empowering the Lord-lieutenant to prohibit public meetings and the court-martial clauses, which constituted half the Act, from a belief that the introduction of these clauses would endanger the passing of the Tithe Bill, and would provoke O'Connell to resort to agitation and opposition to the Government. Lord Wellesley replied to this letter on the 21st June: 'I entirely agree with you, and have written to Lords Grey, and Brougham, and Melbourne accordingly.' He did so write in a very able and important official despatch of the same date. The same policy was approved by Blackburn, the Irish Attorney-General. Lord Melbourne and Lord Althorp said that 'the clauses must, without question, be given up, as no Government could ask Parliament for an unconstitutional power in Ireland, the necessity of which the Lord-lieutenant had been led to disclaim.' But they apprehended that Lord Grey would strongly oppose this concession, and might even retire if it were pressed. Lord Althorp added, however, that he was resolved that the clauses should form no part of the new bill, and that he would resign sooner than allow them to be renewed. Upon this, Mr. Littleton asked Lord Althorp, whether, as O'Connell was about to enter upon a new course of agitation in Ireland, it would not be prudent to see him and apprise him that the precise form and extent of the measure were not decided on. *Lord Althorp concurred in and sanctioned this step*, cautioning Mr. Littleton not to commit himself by any detail to O'Connell. In the course of the same day O'Connell came to the Irish Office, and Mr. Littleton dissuaded him from any unnecessary excitation of the people of Ireland, until he should have seen the new Coercion Bill, which would be renewed with certain limitations. The exact terms in which Mr. Littleton made this communication to O'Connell were reported by himself to Lord Wellesley in a letter of the 4th July to the following effect:—

'I felt so entirely satisfied from Lord Althorp's assurances that the measure would be simply confined to the agrarian disturbances, that I did not hesitate to tell O'Connell that the Irish Government was of opinion that any other enactment was under the circumstances unnecessary. And on O'Connell's expressing some doubt whether others in the Cabinet would not overrule the opinion of the Lord-lieutenant and myself, I added that "my own feeling about it was so decided, that I did not think it possible for me to vote for the measure in any other form than as directed against agrarian disturbances." I added that the moment the question was definitively settled, he should be informed.'

O'Connell promised to regard this communication as strictly confidential. This was before the Cabinet had deliberated on the question, but after the Cabinet had met, Lord Althorp informed Mr. Littleton to his surprise, that it was resolved to renew the old Bill without any alteration, as Lord Grey would concede nothing. Lord Althorp said nothing more of his own intention to resign.

Such was the state of things when the debate on the Bill came on upon the 3rd July. O'Connell did not hesitate to betray the confidential communication which had been made to him, and charged Mr. Littleton with having intentionally deceived him for the purpose of obtaining an advantage at the

Wexford election. He spoke with a violence and grossness which his own adherents loudly condemned. On the following day Lord Brougham defended Mr. Littleton in the House of Lords, and admitted that he had himself been in communication with Lord Wellesley as to the omission of the obnoxious clauses; but Lord Grey made Mr. Littleton's position untenable by permitting it to be believed that the question was completely settled at the time when O'Connell had been told that it was undecided. Mr. Littleton upon this addressed his resignation to Lord Grey: but the public did not know, nor has it ever been known to this day, that in counselling Lord Wellesley to recommend to Lord Grey the omission of the clauses, he was acting under the advice of the Lord Chancellor, concurred in by many of the Cabinet; and that for his communication with O'Connell he had the express authority of Lord Althorp, then leader of the House of Commons, and manager of the Government measure in that House.

Lord Althorp was so dissatisfied with his own position in this affair, that he resolved to retire from the Government. He did so, but this event led to the immediate dissolution of the Administration, as Lord Grey declared that with a division of opinion in the Cabinet on this question, and without Lord Althorp, he was unable to carry on the conduct of public affairs. In explaining the cause of his own resignation, Lord Althorp stated that he had authorised Mr. Littleton's communication 'to O'Connell, with an injunction of due caution.' Mr. Littleton contented himself with declaring that 'he had acted on an authority on which he thought he could rely.' Mr. Littleton may have been guilty of some indiscretion in his conversation with O'Connell. But nothing could justify O'Connell's use of a confidential communication. And, after what had passed, we think that Lord Althorp should have resigned (as he had said he would), rather than assent to the introduction of such clauses, instead of waiting until the affair had degenerated into a scandalous altercation. Lord Grey justified his own refusal to concede anything on the ground of a private letter from Lord Wellesley. But that letter was written some days previous to the official letter of the 21st June, which formally expressed a contrary opinion. Lord Grey's persistence in an unqualified renewal of the Coercion Act, in spite of the Lord-lieutenant's disclaimer of its necessity, was fed by his resentment against O'Connell, who had covered him with the most foul-mouthed abuse, and by jealousy of his colleagues, especially of Lord Brougham, whom he knew to counsel concession, and, as he thought, for a sinister purpose—a suspicion which was in this instance quite unfounded.

To complete this narrative of the causes which led to the dissolution of Lord Grey's Government, it should be added that Lord Althorp declined to take office in the new Cabinet formed by Lord Melbourne, on the ground that he could not separate himself from Mr. Littleton, and told the King so. The ceremony of kissing hands of the New Ministry was delayed in consequence. On being acquainted with this generous resolution of Lord Althorp, Mr. Littleton also consented to resume his office as Irish Secretary, which he continued to fill until the dissolution of the Cabinet in the following November.* The Irish Bill was renewed without the clauses which had given rise to this crisis; but O'Connell was not appeased and renewed his attacks on the policy of the Government.

Although Sir John Hobhouse was not in Parliament at this moment, Lord Melbourne immediately offered him a place in the new Cabinet as First Commissioner of the Woods and Forests. The offer was accepted, and he was shortly afterwards returned to the House of Commons for Nottingham. On the 19th July, 1834, he took his seat on the Treasury Bench, with many warm greetings from friends on all sides, but the pleasantest was that of Henry Warburton—a man more distinguished for integrity of purpose than for genial manners. He crossed the House, and said to Hobhouse, 'Don't you recollect that the last thing you said to me before you left Parliament was, "Honest man?" That is what I say to you, now that we meet again.' The new Ministry was however of short duration. It had already been beaten in both houses; and it was dissolved in November by the act of William IV., who took advantage of Lord Althorp's elevation to the House of Peers by the death of his father, to rid himself of a Government he disliked, and to try the dangerous experiment of naming

* A short time before his death, the late Lord Hatherton placed in our hands a manuscript volume containing a full narrative of this transaction in his own handwriting, and the original correspondence bound up with it. This volume was read by Mr. Fazakerley, Lord Macaulay, and the Marquis of Lansdowne, who corroborated it. We have thought that the present occasion is a suitable one for adverting to the subject, as the facts are not accurately stated in Lord Broughton's recollections,and were probably unknown to him as he was not in Parliament at that moment. The exact circumstances which led to the dissolution of Lord Grey's Government have not been related before with equal distinctness. We have adhered in this succinct account of them to the words of the Memoir, now before us.

their successors. The principal incident which occurred in this short interval was the burning of the Houses of Parliament on the 16th October, which was of the greater interest to Sir John Hobhouse, as the charge of the public buildings lay with the department of which he was for a short time the head.

In the contest which terminated in the defeat of Sir Robert Peel's short Administration of 1835, Sir John Hobhouse took no conspicuous part. The severest domestic anxiety and affliction of his life was pressing upon his mind, and on the 3rd of April Lady Julia Hobhouse, who had been to him a most affectionate wife and devoted companion, breathed her last in his arms. Within five days of this melancholy event Sir Robert Peel resigned, and the imperative necessity of resuming his part in public affairs compelled Hobhouse to turn from his private sorrows to his political duties. The formation of the second Melbourne Government is thus related :—

'The King did not send for anyone on the day (Wednesday, April 8) that Peel resigned. On Thursday he sent for Lord Grey, but did not commission him to form a government; he only asked advice as to whom he should send for. Lord Grey recommended Lords Lansdowne and Melbourne. The King did not send for them until the next day (Friday), when they went to the Palace, accompanied by Lord Grey; but the King did not, on that occasion, ask either of them to form a government. He only talked of a coalition of parties, which they declared impossible, and referred to the recent Resolution of the House of Commons. Both Lords Lansdowne and Melbourne held very decisive language on this point. On Saturday the King saw Lord Melbourne alone, and requested him to undertake the formation of a Government. Lord M. said he could not give a decisive answer until he had consulted some friends as to the materials for forming a Cabinet. Some difficulties were started by Spring Rice, who, to my surprise, objected to belong to an Administration dependent on the Radicals for support. It appeared that our friend had written some foolish letter to that effect to his Cambridge supporters. His scruples, however, gave away to the urgent exhortations of Lord Lansdowne, who insisted upon the absolute necessity of attempting to form a Ministry. But it was not until Sunday afternoon that Lord Melbourne consented to undertake the task, and sent for Lord John Russell, who was at Woburn, and had been married only the day before. On Monday there was some discussion about the basis of the proposed Cabinet. The differences referred to the members of the Royal Household and the creation of Peers. His Majesty gave way; everything appeared to be going on smoothly, and on Tuesday there was no reason to suspect that any other difficulties would be made. On Wednesday, however, came a long letter, of six pages, about O'Connell and Hume, and, above all, about the appropriation of Church revenues, to which H. M. protested he could not consent. Lord M. wrote a short and very decisive answer, and immediately went to St. James's. He told H. M. that he would not submit to have anyone excluded, but that there was no intention of employing either Hume or O'Connell. He told the King that he must do one of three things :—1st. Act on the Resolutions of the House of Commons, with a new Cabinet. 2nd. Oppose the Resolution with the old Cabinet, or a similar Cabinet, and with the present Parliament. 3rd. Dissolve the Parliament. The King said that it would be *madness* to dissolve Parliament now, and he seemed satisfied with Lord Melbourne's explanation. But shortly after H. M. left the Palace, came another letter from him, urging the propriety of quieting his scruples as to the violation of the Coronation oath, by consenting to the appropriation of Church property to secular purposes, and proposing that the fifteen Judges should be consulted thereupon. In consequence of this proposal it was agreed that the House of Commons should be further adjourned to Saturday. Lord Melbourne strongly objected to consulting the Judges, and the King gave up that proposal, but recommended that he should ask the opinion of Lord Lyndhurst. Lord M. said that he would not advise such a step, but if H. M. chose to take it, he could. Accordingly, the King wrote to Lord Lyndhurst, and Melbourne saw the letter.' (Vol. iii. pp. 114–116.)

To such a question, as might well be supposed, Lord Lyndhurst positively refused to give any answer. Some discussion ensued as to the distribution of offices. Lord Palmerston insisted on having the Foreign Office, which Lord Melbourne had destined for Lord John Russell; and Hobhouse refused to return to the War Office, failing which he was induced to accept the Presidency of the Board of Control, and thus he again entered the Cabinet. It must be admitted that he had no previous qualifications for the office of Indian Minister, but he brought to bear on it his great natural sense of justice and knowledge of the world; he was resolved not to be made a tool of the 'Chairs,' as they were called; and he directed his department with energy and independence. He continued to fill that office under successive Whig governments for about twelve years; and finally relinquished it in 1852. When Lord Melbourne's arrangements were completed, Hobhouse told the Premier that he thought his Cabinet was not so Liberal as his former administrations. Lord Melbourne replied that some people told him it was too Jacobinical. An attempt was made, but in vain, to induce the new Premier to send Lord Durham to Ire-

land. He was appointed to the Embassy of St. Petersburg.

Whatever was its original character and prospects, this Administration was certainly one of the most remarkable in the modern parliamentary history of this country. It lasted for six years-and-a-half—it survived two dissolutions of Parliament—it closed the reign of William IV. and inaugurated the reign of Victoria—it gradually allayed the agitation which lingered after the great reform tempest of 1832—it carried a large number of useful and important measures against a powerful Opposition, headed by such men as Sir Robert Peel, the Duke of Wellington, and Lord Lyndhurst—it subdued the revolt of Canada and introduced a new and beneficent era of Colonial government—it established and maintained the ascendency of the Foreign Policy of England —secured Constitutional Government in Spain, and triumphantly encountered one of the crises of the Eastern question—and in its closing hours it raised that standard of freedom of commerce, which was ere long to win over to its cause the most eminent of its former opponents. Yet this long and faithful administration of the affairs of the nation began under circumstances the most discouraging. The working majority of the Government in the House of Commons was estimated at only *twenty-seven* votes, and amongst these were reckoned not a few members of extreme opinions or disappointed expectations, whose support could not be relied on, and who used their accidental importance to press heavily on their leaders. In the Lords the majority against Lord Melbourne amounted to nearly *one hundred*, restrained only by the prudence and patriotism of the Duke of Wellington, but inflamed on the other hand by the bitter eloquence and factious ingenuity of Lord Lyndhurst and Lord Brougham, who were now united by a common hatred of those in power. Lord Wharncliffe said one day to the vindictive ex-Chancellor:—'Why, how you *go on* with your old friends!' 'Yes,' said Brougham, 'and so I will go on till they go off.' The aversion and animosity of the King to his new Ministers were open and undisguised. The extravagant occurrences which had taken place since the 15th November, 1834, were the result of His Majesty's own infatuation, and he keenly resented the ignominious position in which the failure of his attempt to bring back the Tories had left him. Lord Melbourne had not the reputation at that time of a great statesman. His *poco curante* manner and his utter indifference to display, led men to think less highly of him than he deserved. But the truth is that no minister ever showed more consummate tact, temper, and unselfishness than he displayed throughout this difficult period. He had difficulties with the Court (under King William), with his colleagues, and with Parliament. He surmounted them with admirable dexterity; and he was rewarded for his loyal perseverance in the later years of his Administration by the fullest confidence and regard which a youthful and ingenuous Sovereign, who appreciated his worth as it deserved, could bestow. The history of the Melbourne Administration will ever have a peculiar interest for the people of this country and for the world, because it fell to the lot of that government to surround the throne when Queen Victoria ascended it. That incident threw a romantic interest over the monarchy, which has long survived the party struggles of the hour. It was the dawn of an auspicious day, and the place in history of those who bore a part in it, is greater, perhaps, than they themselves or their immediate contemporaries imagined. Sir John Hobhouse had the good fortune to be one of these Ministers; and the record he has left of that period will be of no inconsiderable use hereafter to future historians.

It so happened that the very first step of authority which the new Cabinet were called upon to take, lay in the Indian department. Sir Robert Peel had, with needless haste, selected one of his own adherents, Lord Heytesbury, to succeed Lord William Bentinck in the Governor-generalship of India, then about to become vacant. At the first meeting of the Cabinet Hobhouse brought before his colleagues the question of cancelling this nomination, which they decided to do, and the first communication of the new Indian Minister to the King, was to advise His Majesty to revoke an appointment which was already signed upon the recommendation of the preceding Government. The King reluctantly consented. The 'Chairs' of the East India Company protested against what they called an 'act of power.' Curiously enough, Mr. Gladstone's present Cabinet was called upon at one of its first meetings to entertain the same question. Lord Mayo had been appointed to the Governor-Generalship by Mr. Disraeli, and had actually started for Calcutta before the office was vacant. The appointment might have been revoked. But it was wisely and properly determined to confirm it, and the result of Lord Mayo's administration has amply justified that decision.

While Ministers were floundering in the House of Commons with great measures, such as the Irish Tithe Bill and Corporation Reform, which seemed to crush their feeble

majority, the King broke out on every occasion with great vehemence against them; he was in fact labouring with an alarming degree of mental excitement.

'June 27. *D.N.* 49.—In Downing Street, Russell told me of a singular conversation that he had had with the king about the Militia. H. M. said that Lord Chatham introduced the Militia Bill against the wishes of George II., but that George III. liked the Militia; and, added H. M., so did he, and he should disapprove of any plan that rendered the staff of it less prepared for active service. He would prefer calling out the Militia, and embodying them. Russell said that would cost too much. The people and the Parliament did not care about foreign politics, and thought any measures for defending England unnecessary. "Very true, my Lord," said the King, "and that is what I call penny wise and pound foolish." H. M. them went on to speak of Russia, and said that he had heard there was an army of 100,000 Russians ready for embarkation in the Baltic; and he added, "I do not know how you feel, my Lord; but I own they make me shake in my shoes." The King then remarked that, if France interfered with an army in Spain, there would be an united force of Austrians, Prussians, and Russians on the Rhine in a month, and in another month they would march to Paris. Russell told the King that he had no fear of French intervention, but that he thought the French government unstable. "Yes, my Lord," said the King, "and that is because they have not an honest man at the head of it, and the Ministers intrigue. There is this difference between England and France. Here we may differ on certain points; you and I may differ; but we all of us mean well, and have but one object. I have my views of things, and I tell them to my Ministers. If they do not adopt them, I cannot help it. I have done my duty."' (Vol. iii. pp. 142, 143.)

Indeed his language sometimes became excessively violent.

'I heard from all quarters that H. M. was in a state of great excitement. This was not all we knew of the Royal disinclination to us; for, on Saturday, July 11, in Downing Street, Lord Melbourne addressed us as follows:—

'"Gentlemen, you may as well know how you stand;" and, pulling a paper from his pocket, he read a memorandum of a conversation between the King and Lord Gosford, after the review the day before. The King said to Lord Gosford, "Mind what you are about in Canada. By G—d! I will never consent to alienate the Crown lands, nor to make the Council elective. Mind me, my Lord, the Cabinet is not my Cabinet; they had better take care, or by G—d! I will have them impeached. You are a gentleman, I believe. I have no fear of you; but take care what you do."

'We all stared at each other. Melbourne said, "It is better not to quarrel with him. He is evidently in a state of great excitement." And yet the King gave Dedel, the Dutch Ambassador, the same day on taking leave, very sensible advice, and told him "to let the King of Holland know that he was ignorant of his true position, and that Belgium was lost irrecoverably." H. M. had also given his assent in writing to the second reading of our Irish Church Reform Bill, which showed that these outbursts were more physical than signs of any settled design; although there were some of us who thought it was intended to drive us by incivilities to resign our places, and thus make us the apparent authors of our own retirement. Lord Frederick Fitzclarence told me that his father had much to bear, being beset by the Duke of Cumberland and Duchess of Gloucester by day, and by the Queen at night. As to ourselves, it was clear to me that, if we continued in the Government, it would be entirely owing to the good sense and good manners of our chief, who knew how to deal with his master, as well as with his colleagues, and never, that I saw, made a mistake in regard to either; and I must add that, when a stand was to be made on anything considered to be a vital principle of his Government, he was as firm as a rock.'

'We foresaw that the instructions which we had agreed upon as the basis of Lord Gosford's administration in Canada, would meet with much disfavour in the Royal closet; and Lord Glenelg told me that when he read these instructions to the King, H. M. broke out violently against the use of certain words, saying, "No, my Lord, I will not have that word; strike out '*conciliatory*'—strike out 'liberal';" and then he added, "you cannot wonder at my making these difficulties with a Ministry that has been forced upon me." However, as Glenelg went on reading, H. M. got more calm. He approved of what was said about the Legislative Council and the territorial revenues. In short, he approved of the instructions generally on that day, and also on the following Monday; but when Glenelg went into the closet this day (Wednesday, 15th July), he was very sulky, and, indeed, rude; and objected to some things to which he had previously consented. Lord Melbourne was told by Glenelg how he had been treated, and, when he (Lord M.) went into the closet, the King said he hoped he had not been uncivil to Lord Glenelg, on which Lord Melbourne made only a stiff bow. The King took the reproof most becomingly; for when Glenelg went in a second time, H. M. was exceedingly kind to him, and said, "He approved of every word of the instructions;" and he then remarked "that he was not like William III., who often signed what he did not approve. He would not do that. He was not disposed to infringe on the liberty of any of his subjects, but he must preserve his own prerogative."

'H. M. retained his good humour at the Council, which he held afterwards, to hear the Recorder's Report. Chief Justice Denman was detained at Guildhall, and kept His Majesty waiting a long time. When he came the King took his apologies very kindly. He asked the Chief Justice when he should leave London for the holidays, and where he lived; and invited

him to Windsor, and said he should be glad to see him, adding, "I hope you won't hang me, my Lord." Such was this kind good man, generally most just and generous, but, when irritated, scarcely himself. He was more sincere than suited his Royal office, and could not conceal his likings and dislikings from those who were most affected by them.' (Vol. iii. pp. 146–149.)

The King felt to a greater degree than his Ministers an extreme alarm at the danger of Russian aggression. His early experience in the naval service gave him a peculiar interest in the fleet. And it is of interest at the present moment to observe that he laid especial stress on the maintenance of an efficient Militia. The following energetic expression of his opinions was delivered at a Council held for the merely formal purpose of the approval of the Speech to be delivered from the Throne:—

'At the Council next day occurred a most remarkable scene. There was a levée, and then came the Council. When His Majesty was to say "Approved" to the reduction of the militia staff, he broke out:—"My Lords, nothing should induce me to assent to this, but for two reasons: one is, that I do not wish to expose those Colonels who have deserted their duty and done so much to injure this constitutional force; the other is, that I am resolved the system shall be put upon a better footing the next session of Parliament. My Lords, I am an old man—older than any of your Lordships—and therefore know more than any of you. In 1756 George II. had, as I have now, what was called a Whig Ministry; that Ministry originated a Militia Bill, to frame a constitutional defence of the kingdom. George II. had not the advantages which his successors possessed. He opposed the Bill; and he was seconded by certain persons, in different counties, some from one motive, some from another, perhaps subserviency; but his Ministers wisely persevered, and carried their measure; since which time this great force has been kept up as it ought to be, and shall be, in spite of agitators in Ireland, and agitators in England; for, my Lords, I dread to think what might be the consequences, if Russia were to attack us unprepared. I say I never will consent to the destruction of this force, and, early in the next session of Parliament, *whoever may be, or whoever are, Ministers*, I will have the Militia restored to a proper state. I say this, not only before my confidential advisers, but before others [C. Greville and two or three others of the Household], because I wish to have my sentiments known."

'Such was the substance, and, in great part, the very words, of his Majesty's harangue. We looked at one another. Lord Melbourne was very black, and very haughty. I thought he would have broken out.' (Vol. iii. pp. 164, 165.)

His Majesty did not let the subject drop, and it gave rise to a decision of the Cabinet which has not before been made known.

'Our next Cabinet, a dinner at P. Thompson's, was chiefly taken up with considering a very strong letter from the King on Russian aggression. H. M. proposed to call on Parliament for a vote of 3,000 additional seamen, and to state frankly that the continued aggression of Russia justified this demand. The letter expressed a hope that Lord Durham would not be deluded by the fine speeches of the Emperor Nicholas. The King condemned in the strongest language the Emperor's speech to the Polish Deputation at Warsaw, which, H. M. observed, made the Vienna treaties of 1815 nothing better than waste paper. The letter concluded with hoping that something might be said in the Royal Speech, at the opening of Parliament, on the subject of Russian aggression.

'We discussed the contents of this letter at the next Cabinet, and at last, agreed to propose to France and Austria a sort of defensive alliance against the encroachments of Russia. We had, however, very little hope that Austria would fall in with any arrangement that might embroil her with the Emperor Nicholas. Howick dissented from making any effort in this direction, and said it would lead to a general war.' (Vol. iii. p. 177.)

The Great Seal was put in Commission on the return of Lord Melbourne to office, for one of the chief difficulties of his former Administration had been the intense dislike of the King to Lord Brougham, which was shared to some extent by his former colleagues. But this arrangement was temporary, and the question soon arose whether Campbell, the Attorney-General, Pepys, the Master of the Rolls, or Bickersteth should be Chancellor. Hobhouse energetically supported his old friend Bickersteth. But Lord Melbourne said he was too fond of theoretical speculation and was untried in public life. It ended by the choice of Pepys, and Bickersteth had a peerage and the Rolls. As a debater Lord Langdale brought no additional strength to the Government, and so far Lord Melbourne was right; but Lord Melbourne said that he did not regard Brougham as a very formidable opponent. The King observed that if Ministers had made Campbell Lord Chancellor, 'public opinion would have been against them, and that no man could stand against public opinion;' he thought highly of Bickersteth on account of an answer he had made to one of Brougham's flighty speeches at the London University. In the course of the proceedings before the Privy Council with reference to the charter of the London University, Brougham asked Bickersteth, who was counsel for the University of Cambridge against the charter, what would happen if the new University

proceeded to confer degrees without any charter at all? 'They would incur,' said Bickersteth, 'the scorn and contempt of mankind.' It was probably to this retort that the King made allusion. In the end Campbell succeeded to the Great Seal, and was a better Chancellor than many of his rivals.

The difficulties of the Government arose quite as much from the disaffection of their Radical allies as from the tactics of their avowed opponents. Their Church Bills for England and Ireland were assailed with great violence by Charles Buller and Tom Duncombe, and even Hume, and so precarious was the condition of the Government that their resignation appeared to be a mere question of days.

'Even quiet and courageous Lord Melbourne began to give way, and, at a Cabinet on Tuesday, August 9th, when we discussed whether Parliament should meet in November, and the discussion turned on the position of the Administration, our chief told us that he had long had doubts whether it was right and becoming to go on with the Government in our present condition. There was an immense majority against us in the Lords, and the English constituencies, so far as we knew, were against us —the Court decidedly hostile—and nothing but an insignificant majority in the Commons in our favour, and, even there, it was only on doubtful and unpopular questions that we outnumbered our opponents. Lord Melbourne said a man must have the patience of an ass to stand against such odds; but he added that he saw no reason for meeting in November, unless it was probable that the Lords would give way on the Irish Corporation Bill, and, for his part, he thought they were less likely to concede, if we forced a meeting in November, than if we met at the usual time. Lord Lansdowne said to me, privately, that, if the Lords carried a vote of want of confidence, he, for one, would resign. He thought they would not propose that vote, because they were afraid of putting themselves in the wrong. I dissented from this view: but Lord L. repeated his determination. Lord Holland also expressed his doubts as to the propriety of going on much longer against the House of Lords, especially if we lost any more elections in large communities.' (Vol. iii. pp. 269, 270.)

And so ended the Session of 1836.

The business of the following year opened with no better promise. The following extract is from Hobhouse's diary of the 11th February:—

'I heard that what I had said of the happy day that was to release us from our thankless servitude had given rise to rumours of our immediate relinquishment of office. The comment on this from our opponents was somewhat flattering; for they were pleased to say that I was honest and truthspeaking, and really did wish to leave office. This was true, so far as the desire to leave office was concerned; not so much, however, from any dislike of office, as because I did not see how we could retain it now, without loss of character, and, consequently, of influence. If we were to go out on losing our Irish Corporation Bill, I thought all would be well. We should avoid the embarrassment, not only of the Tithe Bill, but the Canada Bill, and the proposals of our Radical friends, which were sure to damage us, though very unjustly, with our constituents. I was aware that this was only a party consideration; but I thought that, even so far as the advancement of good principles was concerned, our speedy retreat was highly expedient. I did not see how we could possibly get over the Irish Tithe question. Vernon Smith hinted that he should be compelled to resign, if we abandoned the Appropriation clause.' (Vol. iii. pp. 323, 324.)

Shortly afterwards he had a curious conversation with Lord Stanley, with whom, in spite of strong party differences, he had remained personally on friendly terms.

'He asked me "when we were going out?" I said, "About the 8th of April." He replied, "No; you won't go out so soon as that." I rejoined, "You wish to make us resign on the Church question, which is not so popular as the Corporation question." "Oh," he said, "you own that the Tithe Bill is not so popular?" "To be sure I do. But," I added, "you shall not have your way. We are the masters here, at least; and now let me ask you, How will you govern Ireland?—are you prepared for bloodshed?" Lord Stanley said, "There would be no such extremities; but that, let what would happen, the Church must be protected." I told him "that he and his party might come in; but they would fail, and instead of saving the Church, would ruin themselves."' (Vol. iii. pp. 329, 330.)

The necessity of proceeding with the Irish Tithe Bill, and the impossibility of carrying the Appropriation clause, on which Sir Robert Peel had been turned out and the Melbourne Cabinet formed, threatened to bring on the long-expected crisis. Hobhouse attended a Cabinet with his resignation in his pocket, and he was strongly backed by Lord Duncannon, Lord Glenelg, and Spring Rice; but there came a favourable division in the Commons and the ship righted.

An event, however, was now approaching which materially altered the prospects of the Government, and the whole aspect of affairs. On the 26th May, two days after the celebration of the Princess Victoria's eighteenth birthday, it was first made known to Ministers that the King was seriously ill. He was present, however, at a Council on the 27th May, but his weakness and irritability increased so rapidly that it became difficult to address him on public affairs. On the 16th June a Council was summoned by Queen

Adelaide to prepare a form of prayer for His Majesty's recovery, but all hope was over; and early on the morning of the 20th June William IV. expired. The following description of the accession of Her Majesty to the throne is too striking to be omitted:—

'Poulett Thompson called on me early the next day (Tuesday, 20th June), and told me that the King had died at twelve minutes past two that morning. He (Thompson) wished to know whether I had a summons to attend the young Queen. I had not; but shortly after he went away, at a quarter past eleven, a messenger left a summons for me to attend a Council at Kensington Palace at eleven. Shortly afterwards a Cabinet-box came, containing the physicians' bulletin of the King's death, and a summons to Kensington Palace. I mounted my horse, and rode to Kensington. Arriving at the Palace, I was shown into the antechamber of the Music-room. It was full of Privy Councillors, standing round the long table, set in order, as it seemed, for a Council. I had a few words with Lords Stanley and Ellenborough, also with Graham, and others of that party. Sir Robert Peel and the Duke of Wellington were on the right, near the head of the table. Lords Melbourne and Lansdowne, in full dress, with Russell, Duncannon, Thompson, Lord Grey, and others of our party, on the left, near the top of the table. The Duke of Argyll (Lord Steward), and one or two officers of the Household, were behind the arm-chair at the top. There were nearly ninety Privy Councillors present—so I was told. After a little time, Lord Lansdowne, advancing to the table, addressed the Lords, and others of the Council, and informed them of the death of William IV.; and reminded them that it was their duty to inform Her Majesty Queen Victoria of that event, and of her accession to the throne. He added that he, accompanied by those who might choose to assist him, would wait on Her Majesty. Accordingly, Lord Lansdowne and Lord Melbourne, then the Duke of Cumberland (now King of Hanover), then the Duke of Sussex, together with the Archbishops of Canterbury and York, and the Lord Chancellor, withdrew through the folding doors behind the chair, and saw the Queen. She was alone; but Lord Lansdowne told me that, as they entered the apartment, they saw a lady retiring into the back apartment. Lord Lansdowne returned, and informed the Council he had seen the Queen, and informed Her Majesty of the death of King William, and of her accession. Not long afterwards the door was thrown open; the Dukes of Cumberland and Sussex advanced to receive Her Majesty, and the young creature walked in, and took her seat in the arm-chair. She was very plainly dressed in mourning, a black scarf round her neck, without any cap or ornament on her head; but her hair was braided tastily on the top of her head. She inclined herself gracefully on taking her seat. The Royal Dukes, the Archbishops, the Lord Chancellor, and the Duke of Wellington were on the right of Her Majesty; Lords Lansdowne and Melbourne were on her left. Soon after she was seated, Lord Melbourne stepped forward, and presented her with a paper, from which she read her Declaration. She went through this difficult task with the utmost grace and propriety; neither too timid nor too assured. Her voice was rather subdued, but not faltering, pronouncing all the words clearly, and seeming to feel the sense of what she spoke. Every one appeared touched with her manner, particularly the Duke of Wellington and Lord Melbourne. I saw some tears in the eyes of the latter. The only person who was rather more curious than affected was Lord Lyndhurst, who looked over Her Majesty's right shoulder as she was reading, as if to see that she read all that was set down for her.

'After reading the Declaration, Her Majesty took the usual oath, which was administered to her by Mr. Charles Greville, Clerk of the Council, who, by the way, let the Prayer-book drop. The Queen then subscribed the oath, and a duplicate of it for Scotland. She was designated, in the beginning of the oath, "Alexandrina Victoria," but she signed herself "Victoria R." Her handwriting was good. Several of the Council, Lord Lyndhurst, the Duke of Cumberland, and the Duke of Wellington, came to the table to look at the signature, as if to discover what her accomplishments in that department were. Some formal Orders in Council were made, and proclamations signed by the Queen, who addressed Lords Lansdowne and Melbourne, with smiles, several times, and with much cordiality. The next part of the ceremony was swearing in the new Privy Council. A cushion was placed on the right of the Queen's chair, and the Dukes of Cumberland and Sussex first took the oath. They kissed the hand of the Queen; she saluted them affectionately on the cheek. She had kissed them before, in the inner apartment, as Lord Lansdowne told me. The Archbishops and the Lord Chancellor were then sworn; and afterwards Lords Lansdowne and Melbourne, the Duke of Wellington, and some twenty together. There was a good deal of bustle and noise whilst this was going on. P. Thompson, Lord Howick, and myself, with some ten or twelve others, were then sworn together. The swearing in the Privy Councillors lasted half an hour at least. Some of us then sat down at the Council-table; and the Queen then said, "I name and appoint Henry Marquis of Lansdowne, Lord President of my most honourable Privy Council;" after which Lord Lansdowne read several Orders in Council. One of them was for delivering over the body of the late King to the Lord Earl Marshal, for embalmment; another, for directing Sir Hussey Vivian, Master of the Ordnance, to fire the Park guns, and the Duke of Wellington to fire the Tower guns, on the proclamation of Her Majesty's accession. During this time the doors of the room were opened frequently, and many persons admitted to see the young Queen, who continued sitting

quietly at the head of the table; giving her approval in the usual form to several Orders in Council.

'I went then into the antechamber, and signed the proclamation declaring Victoria Queen. A crowd was assembled round the table. The Lord Mayor of London, and several Aldermen and others, were present; amongst them my friend Inglis. They signed the Proclamation, as well as those who were Privy Councillors, to give an appearance of election to the sovereignty; at least, that was the reason assigned for this part of the ceremony.* I went from Kensington to the House of Commons, and took the oaths required.

'I then went, at two o'clock, to the Cabinet Ministers of William IV., assembled in Downing Street; all were present except Lord Holland. I then learned that Lord Melbourne had been summoned to attend the Queen at nine o'clock in the morning, and that he had written the Declaration which Her Majesty had read, on taking her seat at the head of the Council-table. Only one word had been altered in that Declaration; it was the epithet immediately preceding "reliance," which was altered into "FIRM reliance," by Palmerston. Russell told me he thought the alteration had not been an improvement; and Lord John added, "but Melbourne always gives up his opinion in these matters, and, when he asks advice, takes it."

'Lord Melbourne now communicated to us the Queen's pleasure that she desired no change should take place in the Cabinet. Lord Melbourne mentioned that the Queen had remarked to him that Mr. Spring Rice was not at our first meeting. He was not; for he had not received any summons until one o'clock. We did not transact any business, except making some arrangements for proclaiming the Queen the next day. Russell appeared to me much affected by the death of King William, and I thought there was more gloom on the faces of all than might have been expected, not only amongst ourselves, but generally.

'The proclamation of the Queen's accession took place at St. James's Palace. Her Majesty was presented to the people at the window facing Marlborough House. Lords Melbourne, and Lansdowne, and Duncannon, with Spring Rice, in court dresses, were at her side, with certain great Officers of State behind her. The Duchess of Kent was near her, on her right. The crowd was very great, but composed of decently dressed people, and gave Her Majesty a warm reception. Daniel O'Connell was unwise enough to play a very conspicuous part, and act as a sort of fugleman to the multitude, and regulate their acclamations.

'I went to St. James's Palace at twelve o'clock and found the Queen holding a Council in the Throne-room. She was seated in a chair of state at the head of the long table below the throne; she was dressed much as she had been the day before, except that she wore a black straw hat and feathers. The Archbishops were seated at the table, and two or three others not belonging to the Cabinet. Spring Rice and others, who had not been sworn in the day before, were now sworn, and kissed hands. Several Orders in Council were then read, and the Queen gave the usual approval, with her soft voice, and her pleasing smile. Her Majesty then rose, and retired into the Royal closet. Lord Melbourne, and one or two others, were then called into the closet, and received by Her Majesty alone. Lord Lansdowne told me that the Queen had remarked to him, she knew she ought to receive her Ministers unaccompanied by any lady.

'I shall go back a day or two, and I shall venture to copy verbatim an extract from my Diary for the day of the accession:—

'"It is impossible to speak too highly of the Queen's demeanour and conduct during the whole ceremony. They deserve all that has been said of them by all parties, and must have been the offspring, not of art, nor of education, but of a noble nature, to use the words of the well-turned eulogy pronounced upon them by Sir Robert Peel."' (Vol. iii. pp. 384–390.)

We trust that we may, without indiscretion, add Sir John Hobhouse's account of his first interview, as Minister for India, with the Sovereign of that great Empire, which took place almost three weeks later.

'After the Council, Lord Melbourne told me that the Queen had inquired after me, remarking that she had not yet seen me. I thought it my duty, therefore, to send H. M. my last private letters from Lord Auckland and Lord Elphinstone. Immediately afterwards I had a note from Her Majesty, appointing me to come to her next day, at a little past eleven, at Buckingham Palace. The Queen removed from Kensington to Buckingham Palace on Thursday, July 13th.

'I obeyed Her Majesty's commands, and went to Buckingham Palace at the time appointed. The apartments were in great disorder; housemaids were on their knees scrubbing the floors, and servants laying down carpets. After waiting a little time with a page, the door opened, and the Queen walked in, smiling and curtsying. She placed herself on a sofa, on one side of a small table, and desired me to take a chair opposite to her. She told me that she had read Lord Elphinstone's letter, but had not had time to read Lord Auckland's. She added that Lord Elphinstone's was an interesting letter, and that he was very young for so important a command. I smiled, and observed that "youth was no disqualification for empire," at which H. M. laughed, and looked pleased. She remarked upon the conduct of Sir Peregrine Maitland, in refusing to allow the regimental bands to attend the Hindoo cere-

* This is a curious mistake. The document signed by Her Majesty on her accession is the Declaration for the maintenance of the Established Kirk of Scotland, and this instrument was also signed by all the Privy Councillors present. It is kept in the books of the Privy Council. No proclamation is ever signed by Ministers. The notion of 'an appearance of election to the sovereignty' is an absurd misconception.

monies. She agreed with me in thinking it imprudent, and that the zeal of some persons to propagate Christianity often defeated its own object. I observed that Sir Peregrine Maitland was what was called a "serious" man. "Yes," replied H. M., "and his wife too, who is a sister of the Duke of Richmond, is serious also." She told me she approved of Lord Elphinstone's caution in that respect, and desired me to tell him so; and she graciously acceded to my request to convey her thanks, on her accession to the throne, to Lord Auckland for his general conduct.

'I asked H. M. if she had read Burnes's "Travels." She replied she had not, but she had seen and spoken to him, and would read his book. After a little more conversation, I requested H. M.'s permission to communicate with her on Indian affairs, and to send her any news with which I thought she would be interested or ought to be acquainted. To this she assented very graciously, and I rose, and withdrew. I cannot refrain from saying that I received a most pleasing impression from her manner and her remarks, as being superior to her age, and even to her station; at least such Royalties as I have seen. I heard afterwards from Colonel Cavendish, that Her Majesty had told Madame Lezhen, her late governess, that she had had a very interesting and instructive conversation with me. I cannot say I gave her much instruction. My principal information related to the three functionaries at the head of the Indian Presidencies; with each of whom I was well acquainted, and entitled to speak of him.' (Vol. iii. pp. 402–404.)

The following scene at the new Court is characteristic and amusing:—

'The dinner at the Castle this day passed off agreeably, and, when in the drawing-room, the Queen sat down to chess with the Queen of the Belgians. H. M. had never played before; Lord Melbourne told her how to move, and Lord Palmerston also assisted her. I looked on for some time, without taking part in the game, and I might as well have abstained altogether; for when Melbourne and Palmerston gave up advising Her Majesty, in order that I might succeed to them, I did not succeed better than my colleagues. I was very near winning the game, when I lost it by an oversight, and by being very often asked by Her Majesty, "What must I do?" There was also some little confusion created by the two queens on the board and the two Queens at the table. Her Majesty was not so discouraged by her defeat as to prevent her playing again the evening after this. Who played for the Queen I do not know; but H. M. ran up to me laughing, and saying she had won. She asked me how she came to lose yesterday. I replied, "Because your Majesty had such bad advisers;" on which she laughed heartily, and so did the Queen of the Belgians, who, by the way, spoke English well.' (Vol. iii. pp. 424, 425.)

The nation shared the cheerful and auspicious influence of the new reign. The demise of the Crown gave rise of course to an early dissolution of Parliament, and the Administration soon found itself strengthened not only by the entire confidence of the Sovereign, but also by a House of Commons elected under circumstances widely differing from those which had called into being the preceding Parliament. The dissolution and election of 1835 were a premature trial of strength on the part of the Tories led by Sir Robert Peel to recover the power they had lost, and the result was a House in which the Opposition could at least hold Ministers in continual check. The election of 1837 was governed by different feelings, and the Cabinet which seemed so near destruction in the first months of its existence, was destined to retain the supreme direction of affairs for a further period of four years.

As we approach nearer to our own times and have to deal with the advisers and measures of Her present Majesty, our task becomes more delicate, and our limits warn us that we have perhaps already taxed the patience of our readers. We therefore pass over the discussions and debates caused by the Canadian Rebellion, and by Lord Durham's mission to that province. Never was greater acrimony shown in Parliament than on that occasion—never was a Government placed in a more difficult position than Lord Melbourne was by the intemperate and overbearing policy of Lord Durham. The Emperor Nicholas, who knew Lord Durham well, having seen him as Ambassador at St. Petersburg, said, 'If one of my officers had behaved as he had done, he would have been tried for his life on his return.' And Lord Wellesley said to Hobhouse, alluding to the time when he had been reprimanded by the Court of Directors, 'My answer was the conquest of the Mahrattas. I did not become sulky and run home.'

It was in June, 1838, that the Cabinet first received notice from Sir Alexander Burnes, our agent at Caubul, that the Emperor Nicholas had recently despatched a Russian agent with a letter to Dost Mohamed. This was the commencement of the Russian intrigues in Central Asia which eventually led to the Afghan War, and some of the most important transactions in which Sir John Hobhouse was officially engaged. The British Government resolved to check the intervention of Persia, instigated by Russia, by sending an expedition into the Persian Gulf, where the Island of Karrak war soon afterwards occupied and held by ous troops, and Lord Auckland ordered movements of troops on the North-Western frontier. Sir John Hobhouse strongly sup-

ported his policy against the remonstrances of some of his colleagues, and he consulted the most eminent of Indian statesmen on the matter.

'Before leaving London I wished much to know Lord Wellesley's opinion on Indian affairs. I called on him, and we had a long talk together. At first I thought he was inclined to believe that Auckland had made a mistake in regard to his movements on the North-West frontier. He listened patiently to my statements, and at last told me that I had made out a complete case for our interference in Affghan affairs. I told him of our treaty with Runjeet Singh and Shah Soojah. He remarked that, whether the siege of Herat was raised or not, we were bound by treaty to replace Shah Soojah on the throne of Caubul. He himself, when Governor-General, had always adhered to his treaties, and when Lord Cornwallis arrived, and broke one or two of them, he was in his dotage.

'I told him that the Duke of Wellington expressed great reluctance to our going to war beyond the Indus. Lord Wellesley said no man was more averse to war than his brother Arthur, and he added the same of himself. He strongly advised an augmentation of our army in India. I told him it was done.' (Vol. iv. p. 232.)

No doubt at that time a clandestine warfare (if that term can be used) existed between England and Russia. We remember to have heard Sir John Hobhouse say in those days that England was about to measure her strength with Russia, and that the field of operations would be in Central Asia. The person to whom this remark was addressed replied, 'If that be the case, should we not rather try our strength on Cronstadt?' But no doubt serious alarm existed, and not without reason.

'When I came to the Cabinet on Saturday, March 2nd, Lord Palmerston said, "Here, see what they are preparing to do with you and your dominions;" and Lord Lansdowne handed to me a letter, dated the same morning, from the Duke of Wellington to Lord Melbourne. The letter began by saying that "he had so often communicated with Lord M. on matters connected with the Queen's service, he should not offer any apology for writing to Lord M. now. The news had come to him in a singular way; but all sorts of people were in the habit of writing to him on all sorts of subjects. The son of a Hampshire gentleman, who was aide-de-camp to the Emperor of Russia, had a brother who had arrived in England, and had told his father that his brother, the aide-de-camp, had seen on the desk of the Emperor a proposal, bearing on it the words, 'Approved by the Emperor.' The proposal had been drawn up by the War Minister; had been referred by him to the Foreign Minister, and, by him, laid before the Emperor." The proposal was enclosed in the Duke's letter, and was to this effect:—"Twenty-seven sail of the line, fifteen frigates, and several transports, with thirty thousand troops on board, were to sail to the East Indies, and seize upon the capitals of the three Presidencies." The Duke added, "that this intelligence was not to be altogether despised. He did not believe that the invasion would be attempted; but that something might be undertaken if the fleet sailed for the East. It might take the Cape of Good Hope, more probably it would go into the Mediterranean, and thence into the Dardanelles, in virtue of the treaty of Unkiar Skelessi." The Duke thought it might be advisable to stop the Russian fleet in the Channel. His note was short, but quite in his own earnest style, and worth pages of ordinary correspondence.' (Vol. iv. pp. 269, 270.)

Pozzo di Borgo, who was then Russian Envoy in London, continued to give the most pacific assurances, and in fact the Cabinet of St. Petersburg soon afterwards disavowed its agents, one of whom destroyed himself. Before he expired he left on his table a note addressed to one of the Czar's principal advisers, in these words: 'Come and contemplate your work!' There were others, however, who said that he was still living in some part of that gigantic empire. The scheme for the restoration of Shah Soojah to the throne of Caubul was no doubt a mistake. We had much better have treated with Dost Mohamed, as we did in the end. But the Russian intrigues in Central Asia were effectively checked, and at the conclusion of these difficulties our North-Western frontier was better protected than it had ever been before.

The state of affairs in the Levant was not less critical, and it is remarkable that in the summer of 1839, one year before the active intervention in Syria was resolved upon, Lord Palmerston brought the subject before his colleagues.

'At the Cabinet on June 15th, Lord Palmerston proposed that the French and English fleets should sail to the coast of Syria, and that joint instructions should be given to them to do their utmost to prevent or arrest hostilities between the Turks and the Egyptians; that, if the Turks would not listen to us, messengers should be sent to the Ambassadors at Constantinople, to endeavour to prevail on the Sultan to come to terms; that, if Mahomet Ali would not listen to us, Alexandria and the Pasha's fleet might be blockaded. Lord Palmerston further proposed that the four great Powers should insist on the evacuation of Syria by the Pasha of Egypt; and that, as a reward for that concession, the Pashalik of Egypt should be declared hereditary in the family of Mahomet Ali. Lord Palmerston urged that this arrangement would be satisfactory to the Sultan; and, if all the great Powers

united to procure it, Mahomet Ali would be forced to comply. Austria would consent; France might be brought to consent, in order to stop the advance of Russia; and Russia herself could hardly refuse to countenance a scheme so much in accordance with her professions of friendship for the Sultan. Nevertheless, Russia would not abandon her right to independent action, secured to her by the Treaty of Unkiar Skelessi; and, if any Christian Power was to be called in to fight the battles of the Sultan, she (Russia) would take care to be that Power. It had been proposed to send Austrian troops to Syria, but Russia would not listen to it. We had a great deal of talk on this important subject, and I did my utmost to second Lord Palmerston's views; indeed, I proposed to seize the Egyptian fleet, and send it to Malta, to be kept in deposit, in case Mahomet Ali resisted the combined Powers. This suggestion was opposed as too nearly resembling the Indian practice; but I persevered in defending it, as the safest and easiest way of accomplishing our object, and I added that the continued encroachments of Mahomet Ali on the shores of the Persian Gulf rendered a collision between him and ourselves almost inevitable, unless, indeed, we had made up our minds to allow him to become master of Bussorah, and perhaps of Baghdad. It was finally agreed that Palmerston should make the above proposal to France, Austria, and Russia; and that orders should be sent to our Admiral in the Mediterranean to be in readiness to sail, in conjunction with the French fleet, to the coast of Syria.' (Vol. iii. pp. 375, 376.)

Although the measures eventually adopted were taken in 1840 at the suggestion of Baron Brunnow, who had been sent to London for the purpose, and were vehemently resented by France on the ground of their Russian character, there is no doubt that Lord Palmerston's policy was dictated mainly by a desire to counteract Russian influence. The following passage is very remarkable:—

'Lord Palmerston confessed that recent events seemed to have been all contrived by Russia, so completely did they promote all her views of aggrandisement, and even made the possession of Constantinople at no distant period inevitable. At the same time Palmerston added that if France stood to her engagements with us, he had hopes of putting off that catastrophe for some time. In regard to Austria, Palmerston added, Prince Metternich had repeatedly said, "If you will manage France, I will manage Russia." This was well to say; but, in the mean time, Russia intrigued against us in every direction, and, if foiled in one quarter, succeeded in another. We had had a letter from Mr. R., an agent of ours in America, stating that the Russian consul was employed in getting together a force to invade Canada! I asked Lord Palmerston whether he believed this. He said, "he did, and that no immorality was too bad for the Russian Cabinet."' (Vol. iv. pp. 417, 418.)

Yet within twelve months he was supposed to be acting in conjunction with that Cabinet and in opposition to France.

As early as 1838, it appears from Lord Palmerston's correspondence with Sir Henry Bulwer, which is now published in the second volume of the life of that statesman (p. 281), that he had conceived the idea that the only mode of getting rid of the Treaty of Unkiar Skelessi, which placed Turkey in strict dependence on Russia, was 'to merge it in some general compact of the same nature.' This is what was accomplished by the Convention and operations of 1840, and this has continued to be, down to the present time, the fundamental principle of British policy in the East. Lord Palmerston's first intention was to act in strict conjunction with France, if France would act with him. On the 19th July, 1839, he wrote to Lord Granville:—'Soult is a jewel. Nothing can be more satisfactory than his course with regard to us, and the union of France and England upon these Turkish matters will embolden Metternich and save Europe.' Unfortunately the subsequent hesitation of the French Government gave a totally different character to the affair, and Lord Palmerston carried his point, not with the aid of France, but in opposition to her.

It was in September 1839 that the proposals of Russia, transmitted through Baron Brunnow, to take vigorous measures against Mahomet Ali, and to leave the defence of the Bosphorus to the Russian fleet, were first brought before the British Cabinet. Lord Palmerston strongly supported these proposals, and intimated to his colleagues that he wished to withdraw from the French alliance, and was prepared to act without France, and in conjunction with Russia. The change, as may be seen from the date of the last extract, was a sudden one. Hobhouse energetically supported the views of Lord Palmerston throughout these transactions; and there was this to be said for them, that if we held back out of deference to France, the Emperor of Russia was prepared to act without the concurrence of either Power. Hobhouse himself maintained that the real way to prevent Ibrahim Pasha from marching to Constantinople was to attack Alexandria. But 'this advice was reckoned too bold by everybody *except Palmerston*.'

The difficulty was however staved off for some months, and it was not until June 1840 that Lord Palmerston informed his colleagues that 'the Turco-Egyptian question had arrived at a point that required immediate decision.' There was a considerable difference of opinion in the Ministry on the subject of acting without France. Lord Holland pro-

tested most strenuously against it, especially after a memorandum had been read detailing the measures to be taken, which memorandum was from Baron Brunnow's pen; Lord Clarendon agreed with Lord Holland. But on the 15th of July, 1840, the Convention was signed. It is needless to dwell here on its rapid and brilliant success. The boasted military power of Mahomet Ali and his son collapsed in a few weeks. St. Jean d'Acre was taken after a short bombardment and the explosion of a magazine. And before November, the cause which had brought France to the brink of a war with Europe had ceased to exist. But on the other hand, the French alliance with this country, as far at least as Lord Palmerston was concerned in it, had received a fatal blow; the temporary alliance of England with the Emperor Nicholas was a strange inconsistency, and the precarious throne of King Louis Philippe received a shock from which it never entirely recovered. These were the reasons which induced Lord Holland, Lord Clarendon, Mr. Ellice, and many others to think that no amount of success in the East in conjunction with Russia was worth what it cost to the Western alliance.

To render this inconsistency still more striking Russia was at this very time intriguing in Central Asia, instigating the Shah of Persia to attack Herat, pursuing her own expeditions to Khiva, and adopting a policy which had led us to cross the frontier of Afghanistan. On the 6th of February, 1840, Baron Brunnow told Sir John Hobhouse that 'the Cossack and the Sepoy might meet on the banks of the Oxus.' To which the British Minister replied that 'nothing was more likely, and that if Lord Auckland had any reason to apprehend that the Khans of Khoolum and Koondooz and the King of Bokhara would be hostile, he would inevitably send a force across the Hindoo Coosh." The Baron was startled at this, and said it was a much more important circumstance than the Turco-Egyptian question. This very sharp style of diplomatic conversation was going on between the two Governments with reference to Asia at the very time when the Turco-Egyptian Convention of the 15th of July was concluded. The successful advance into Afghanistan took place while Hobhouse was at the Indian Board. The subsequent reverses were borne and retrieved by his successors.

In the spring of 1841 it became apparent that the Cabinet would not long retain office :—

'The next day I dined at Lord John Russell's; it was a Cabinet dinner, and our principal talk was of our tottering condition. After Cabinet business, Lord Melbourne, Lord Duncannon, Lord Palmerston, and myself, stayed with Russell, to talk over our election prospects and the probability of Sir Robert Peel consenting to some party motion, in order to turn us out. Russell said that he had no doubt Peel was disinclined to this, but would be driven to it before long. Melbourne agreed with him, and told us the common rumour was that the Duke of Buckingham had been trying to induce Peel to take that step, but that Peel was unwilling, and recommended his friends to wait until we had decidedly lost our small majority. Some people affirmed that we had lost it already; but our Stanley told me that we were still nine or ten ahead of our opponents.' (Vol. v. p. 242.)

Undismayed, however, by their own Parliamentary weakness, by the menacing aspect of foreign affairs, by the prospect of hostilities in China consequent on the Elliot Convention, and by actual warfare beyond the Indus, the Government of Lord Melbourne took the strong resolution to present to the House of Commons a Budget based on the principles of Free Trade, and to attack the critical question of the Corn Laws by proposing a fixed duty in place of the sliding scale. These measures did not save the Cabinet, but they shaped the future policy of the country; and although rejected at the moment, they triumphed at no distant period, even over the pledges of their opponents.

The main question for Ministers at that time was whether, having presented these important measures to Parliament with a certainty that they could not carry them in the existing House of Commons, they ought or ought not to dissolve it. Macaulay was at first strongly opposed to dissolution, but he was weary of office, and even of his seat. Lord Morpeth was against it. Lord Lansdowne rather against it; Lord Melbourne and Lord John Russell undecided; Labouchere, Lord Duncannon, Lord Palmerston and Hobhouse in favour of it. So was the Chancellor. Lord Melbourne muttered that 'he did not like to advise the Crown to take a course in opposition to Lords and Commons, unless he was sure of a fair majority in the next Parliament.' To this it was replied that 'important measures having been proposed, it was just and right to take the opinion of the constituencies upon them.' In May the final decision was taken.

'At last, Lord Melbourne, saying "we were as fit to decide on the question as we ever should be," took a pen in hand, and asked our opinions *seriatim* :—First, Baring, who said "dissolve;" then Hobhouse, "dissolve." Lord Normanby said he should not oppose the general sense of his colleagues, but had given

his opinion "merely to express his dissent and dislike of dissolution." The Lord Chancellor spoke shortly, but very strongly, in favour of dissolution, and said that, "if he had been at the Cabinet which agreed to the Budget, he would never have been a party to the proposed measures, unless he had been assured that, in case Parliament refused to adopt them, an appeal would be made to the constituencies." Lord John Russell spoke shortly, but very decidedly, in favour of dissolution; saying that "it had been called a leap in the dark; now I, for one, am prepared to take that leap." Lord Morpeth said that he was a very impartial adviser, for he had been much against dissolution; but the accounts he had received, both from Yorkshire and Ireland, had convinced him that we should be justified in making the appeal to the people. Labouchere said that, "on the whole, he was for dissolution." Lord Minto gave a hesitating consent for dissolution. Palmerston made a short but decided speech in favour of it. Clarendon said that "we should betray our party, desert our principles, and disappoint the country, if we did not dissolve." Macaulay confessed that he was a convert, and should vote for dissolution. Lord Duncannon said "dissolve." Lord Lansdowne said "we were clearly not doing anything unconstitutional in advising a dissolution." He confessed that, at first, "he saw clearly that we should not gain by it; but that now he began to doubt as to the result, that was something; he should therefore, although with much dislike of it, vote for dissolution." Our master, the Prime Minister, now delivered his sentiments. He spoke slowly, and with great earnestness. The substance of what he said was that "he had, from the first, expressed his strong disinclination to dissolve. He disliked an appeal to the people when their passions were raised on any subject; but more especially on such a subject as food. He added, that no terms could express his horror, his detestation, his absolute loathing, of the attempt to enlist religious feelings against the Corn-laws. He thought these laws ought to be altered; but deliberately, and not under excitement. He added that he was quite convinced that the appeal would not turn out favourably for us. Nevertheless, finding that the party wished for a dissolution, and that the majority of his colleagues wished for it, he should not oppose his opinions to theirs, and would advise the Queen accordingly." He said this with much, and serious, expression of feeling, and almost in tears.' (Vol. v. pp. 293, 294.)

Before, however, the resolution on the sugar duties could be put to the House, Sir Robert Peel gave notice of a direct motion of want of confidence in the Ministers, which was carried on the 5th of June by one vote —312 to 311. This virtually ended the contest, and, for the time, the official life of Sir John Hobhouse; for although a dissolution followed, the Administration was under sentence of death, and in the new Parliament they found themselves in a minority of ninety, and 'this long agony ended at last.'

We must here take our leave of these interesting volumes; for at the time of his death Lord Broughton had not carried on his reminiscences beyond 1842, and this is the appropriate termination of them. He lived, indeed, to enjoy an active, social, and honoured life for nearly twenty-seven years after the termination of the Melbourne Administration. He returned to his former office at the India Board under Lord John Russell, and he continued to fill that post from July 1846 to February 1852—a further term of office of nearly six years. In 1851 he was raised to the Peerage under the title of Lord Broughton de Gyfford, and his life was prolonged in a good old age, to the 3rd of June 1869, when he died. Time had somewhat mellowed the political opinions of the Westminster Reformer of 1818; and it was observed by his colleagues on their return to office in 1846, that he had become one of the most conservative members of the Cabinet. He was, for example, the last to make up his mind to the repeal of the Navigation Laws. But time and age never effaced the strong lines of his character—his chivalrous sense of honour, his unflinching courage in action, his keen relish for wit, and his vigour of language. Amongst a generation of statesmen, he held his place with spirit and consistency; and though he laid no claim to talents of the first order either in oratory or administrative ability, he was certainly inferior to none of his colleagues in patriotism, in firmness, and in a genuine love of freedom.

ART. II.—1. *A Description of the Autotype Facsimiles of the Frescoes by Michael Angelo Buonarroti, in the Sistine Chapel, Rome.* By C. BRUCE ALLEN. London: 1870.

2. *Wonders of European Art.* By LOUIS VIARDOT. Illustrated with Sixteen Reproductions by the Woodbury Permanent Process. London: 1870.

3. *On Photozincography and the Photographic Processes employed at the Ordnance Survey Office, Southampton.* By Captain A. DE C. SCOTT, R.E., under the direction of Colonel Sir HENRY JAMES, R.E., F.R.S. London: 1862.

4. *Art Pictorial and Industrial.* Illustrated by the Heliotype Process. London: 1870.

5. *Micro-Photography.* By T. Higgins, Esq. Liverpool.

Any real scientific discovery, however barren in practical bearing it may appear at the moment, is certain, in the long run, to lead to many other inventions, and to set in motion other appliances, which heretofore only seemed to be awaiting the new influence. The machinery, so to speak, rests idle for the want of some cog or spring to complete its action. Among the more recent examples of a latent want, the supply of which has given a start to many a new art, and has revolutionised others, may be considered Photography. The instantaneous draughtsman, ever ready, working with absolute truth both by night and day (for by the addition of highly sensitive paper the aid of the sun can now be dispensed with), catches and registers the scientific data of the astronomer and the meteorologist, seizes the wonders, and renders patent to the eye the hidden world opened up to us by the photo-microscopist; and where there is excess of light which blinds the human eye, Sol paints himself with his own beam, with lineaments so accurate from day to day, that the scientific watcher is only now beginning to discover the changes that are taking place in the great luminary.

When Fox Talbot and Daguerre simultaneously discovered the power of the pencil of light to paint an image on a tablet as quickly as it flashes upon the retina of the eye, great were the predictions of the part the new discovery would play in the field of science and art; but the wildest anticipations have already been surpassed in less than forty years since the original discovery, and every day is adding to the number of the wonders it is opening before us. It is our purpose in this paper to sketch with a light hand the many valuable arts, and the curious appliances which this beautiful discovery has suggested to the scientific worker, the artist, and the manufacturer. So rapid are the changes, and so great from day to day are the improvements, that we can only treat it as a progressive art, capable of almost unlimited extension.

The most important adaptation of photography is, as might be expected, to the pictorial and printing arts. But it was very speedily discovered by Mr. Fox Talbot that beautiful as were the productions of the camera, the original photograph contained within itself the elements of its own destruction. The instability of the metallic salts, of which it is composed, is only too sure, sooner or later, to lead to its gradually fading away; and many of us who possess portraits of those we fondly cherish, have experienced with regret this gradual progress of an inevitable decay. In an article by the editor of the 'British Journal of Photography,' in the 'Popular Science Review,' the reason of this unfortunate instability in the new art is thus alluded to:—

'The blacks of photographic prints on ordinary unsized paper consist of silver. To aid in the proper fixing of a photograph, or destroying its future sensitiveness to light, hyposulphate of soda in solution is employed. The action of this salt on the silver in the pores of the paper is of an extremely complex nature, and long washing is requisite to secure its removal. If not thoroughly removed, an action continues to be exerted which ultimately results in the destruction of the picture, the blacks of which are converted into a sulphide of silver. But the sulphurous gases with which the atmosphere is impregnated, joined with the complex effects produced by the albumen (with which photographic paper is usually prepared), acting on the silver in a manner not yet clearly understood, exert a destructive influence on photography. The introduction of gold-toning has mitigated this evil to a considerable extent; but an inspection of some recent pictorial productions of photographers of reputation suffices to show that it still exists, notwithstanding the known care taken by them to obviate it.'

It may easily be conceived that Mr. Fox Talbot was fully alive to this shortcoming in his great invention, and as long ago as 1852, was anxious to find some means by which permanence could be given to sun-pictures. In casting about to find some means by which engraved plates could be taken directly from the photographic negative, his attention was directed to a discovery made by Mr. Mongo Ponton a short time before, apparently by accident—that bicromate of potash became darker in colour when exposed to the light; the photogenic quality of this salt at once struck his acute mind as the means of solving the problem. After many experiments he found that bicromatised gelatine or gum upon exposure to light became insoluble in water, and that a plate could be prepared with this material, from which all those parts debarred from the light might be dissolved away. This discovery was the germ of numerous allied processes which have revolutionised the engraver's art, and which cannot fail to have a most important effect upon the illustrations of our literature, and indeed upon pictorial art generally, inasmuch as we need no longer depend upon line engraving, woodcutting, or lithography, nature herself reproducing her own drawings at a cost infinitely less than we have hitherto paid for inferior productions of the human hand.

Among the numerous patents that have been taken out of late years for utilising by this means the sunbeam as an engraver, we name as practically established the different processes known as Autotype, Woodburytype, and Heliotype. We wish to refer to these three processes first as the only ones capable of giving, with commercial success, copies of photographs, pictures, and drawings whose delicacy of *half-tone* in a graduated tint is their chief beauty, and this cannot be produced with equal success by line engraving, lithograph, or mezzotinto.

The process of relief-printing or Woodburytype, which we shall describe, as it is only known to the initiated and the trade, is a very curious art, totally unlike any method of engraving or copying previously known. As we have said before, the process is based upon the photographic qualities of the bicromate of potash, which, when mixed with a certain proportion of gelatine, dissolves away when placed in hot water in exact proportion to the amount of light that has been permitted to penetrate to it, through a glass photographic negative. Let us suppose some of this prepared dark brown gelatine poured upon a plate of glass so as to form a film; this film being dried in a dark room, is now placed under a glass negative, and exposed to light. After an exposure of an hour, the prepared film upon which the picture is invisibly copied, is placed in hot water face upwards, and then it will be seen that all the gelatine upon which the light has not acted dissolves away, and the picture comes out in relief, the elevations or raised parts being in proportion to the penetrating power of the light through the negative. This raised picture in gelatine is then dried by a gentle heat. These gelatine film pictures keep for any length of time and may be laid by in the portfolio with impunity. Of course these films are not suitable to be printed from, as they would render impressions in masses of black and white, without gradations of colour or half-tones. The picture is now in cameo, whereas it is required to be in intaglio. In order to reverse the plate in this desired manner, when the process was first established, Mr. Woodbury thought to accomplish it by an electrotype deposit of copper. This, although a perfectly successful method, was found to be too tedious, and the method now employed is the most singular part of the process. Every boy knows that he can fire a tallow-candle through an inch deal-board; the scientific man also knows that by the process of 'nature printing,' as it is termed, the softest details of a leaf, even the down on the thistle, can by hydraulic pressure be impressed upon a metal plate so that it can be printed from. Our knowledge of this extraordinary quality of a soft material to impress a harder one, may take away from the astonishment that otherwise would be felt by the statement that the gelatine mould hardened by crome alum, when placed in an hydraulic press, in contact with a plate composed of type metal and lead, impresses a most perfect reverse of itself upon the plate. The amount of hydraulic pressure depends of course on the size of the plate, extending from 50 to 200 tons on the square inch. It might be imagined that the gelatine would be flattened by such enormous force, but this is not so; on the contrary it will allow five or six impressions on metal to be taken without losing any of its sharpness, and as each operation does not take more than a minute, no time is lost in the operation. From these metal 'jelly moulds' the object represented is printed in the following manner:—A portion of gelatine tinted usually of a dark colour, or with any permanent pigment, is placed in a liquid state in the centre of the intaglio mould of the picture, which is then placed in a press made like a shallow box with a hinged lid; a thick plate of glass at the bottom, and a similar one on the top, are perfectly adjusted so as to bring their two planes to a true level. A sheet of paper is then laid upon the mould, the lid is folded down, and the pool of gelatine ink is squeezed into the mould, the superfluity escaping over the edges of the paper. Nearly a minute is allowed to let the gelatine ink set; when this is done the lid is raised and the picture is found fixed to the paper in relief, in fact like a jelly just turned out of a mould. But this projection only remains for a short time, the picture as it dries shrinking flat to the paper. The lights and shades are given by the amount of colouring matter in the gelatine; where there have been high projections, of course there has been most colour entangled, representing deep shadows; where the film has been slight or in little colour, half-tones are represented, and where the pressure has squeezed away all the coloured gelatine, there are white lights. A wash of crome alum is added to fix the image and prevent its washing off in warm water, which it would otherwise do. The delicacy of pictures rendered from the photograph is most marvellous; it would be impossible to surpass the delicacy and beauty of the half-tones, or to approach nearer to the clear softness of the photograph of which it is a perfect facsimile. Of course any colour may be given to the gelatine vehicle; the fugitive colours, however, such

as the aniline dyes, are inadmissible, as they are themselves liable to fade, and thus the very object of the process would be defeated, as they would be as perishable as the photograph, which the relief process is intended to preserve.

Already some excellent specimens of its work have issued from the press, among which we may mention 'Viardot's Wonders of European Art,' which contains sixteen impressions by this process, with eleven woodcuts, and the contrast between the two is sufficiently striking to even the uninitiated in art. 'Crossing the Stream' by Claude, gives the golden haze of the Italian distance with a delicacy which is perfectly unapproachable by any system of engraving, whilst the shadows possess a depth which leaves nothing to be desired. Again the copy of Vandyck's noble portrait in the Louvre of Charles I. habited in Cavalier costume, is an exquisite example of its power to render the tenderest details and the most powerful shadows with wonderful effect. The ink used, or rather we should say the pigment, is of a very warm dark chocolate tint and of a flowing character, which gives a rich glow to all the shadows contrasting powerfully with the harsh blacks of the woodcuts in the same volume. The small expense at which these delicate copies can be made, will, we fancy, give the process a great advantage in the illustration of books. The only drawback as far as we can see to its being applied to cheap literature, is the necessity to mount the prints upon card, or other stiff paper, their borders being destroyed by the nature of the process, which, as we have before stated, spills all the superfluous ink over the margin, consequently trimming and mounting are necessary. Unless this difficulty is overcome, we fear the process will be confined to the more expensive class of works. At the present moment the size of the prints produced is limited by the size of the hydraulic press, which is comparatively small, but we understand this size is about to be increased.

The action of light is necessary to produce the chemical effect upon the bicromatised gelatine, but efforts are being made to accomplish this by artificial means. The company working this process have been employing a powerful electric apparatus, worked by a gas engine, which gives a speed of 400 revolutions a minute to a revolving armature, which rotates inside a number of permanent magnets, and yields a light of great intensity. It is far, however, from being a substitute for the solar ray, inasmuch as, whilst a good impression from an ordinary negative is produced by the former in ten minutes, the electric light requires three hours to yield the same result. But this is an advance upon the lime-light, which necessitated an exposure of even double this time. In the dark winter weather, when the sun is sometimes hidden for weeks, there can be no doubt the electric light will find constant employment. In nightwork again, it will be ready, thus affording employment upon works which otherwise would be delayed for want of daylight. Already several works have been illustrated by the Woodburytype process and are familiar in our drawing-rooms; the pictures are easily mistaken for photographs, and are far more delicate and effective than the best steel engravings, at a cost almost nominal; a good sized picture being reproduced at less than a farthing a copy. After a long struggle with many difficulties, this method of reproducing the most delicate drawings, photographs, &c., may be considered a commercial success, and we cannot doubt that it will have a material effect upon the engraver's art, which with some limitations, to be mentioned hereafter, it must in course of time greatly supersede.

The Autotype process, the longest established and the best known of the different arts which have within these few years come before the public as a consequence of the want of permanency in silver prints, is the only one which can be worked by the amateur photographer, inasmuch as the whole apparatus consists of hot and cold water baths, a sheet of bicromatised and transfer paper, which may be procured from the patentees. The method of manipulation is simple enough in action, but rather too complicated to describe well, which will be the less necessary as the patentees invite the public to see the practical working of their process every Wednesday at their establishment in Rathbone Place. It will be sufficient to state that bicromate is the chemical agent in this, as in all the allied processes, by which the most literal transcripts are obtained, not only of the most delicate silver prints, but of the artist's own work, his touch, the spirit of his brush being rendered in monocrome in the most unerring manner. We need not say that however eminent the engraver may be, this literal translation is beyond his art. Indeed, the very eminence of an engraver is built upon a certain method of rendering effects which is peculiar to himself, and although his labours may be excellent as works of art, yet it interposes a mannerism between the artist and the public. The advantage of the Autotype, in common with the Woodburytype and Heliotype, is that it places the original picture at once before us,

with the very method of the artist's touch, thus adding an immense charm and sense of truthfulness to the copy. Amid the splendid gallery of autotypes to be seen in the establishment of the Company at Rathbone Place, the great works of Michael Angelo in the Sistine Chapel are the most powerful examples. We will venture to say that before these magnificent transcripts were produced, the works of this mighty master were entirely unknown to the public, and, indeed, to artists themselves. The darkness of the chapel, the progress of age, and, as some say, the fumes of the incense, have so subdued the colour that even the outlines of some of the upper figures, and especially those in the spandrils of the windows, are not discernible from the floor, as most visitors to the chapel must, to their regret, have discovered. This very disadvantage has proved most favourable to the autotype copies which have been successfully taken of them in monocrome—a kind of bistre, very like the tint to which the originals are reduced by the causes we have mentioned. The artist has only to compare these precious works of art with the best line engravings of the same subject to convince him how superior they are to the latter. The grand sweep of the brush of this giant in art is placed before us, the figures seem to live as they do on the walls of the building where there is light enough for the spectator to see them. The photographic negatives from which they are reproduced were taken by the aid of the lime light, without the aid of which it would have been impossible to copy them. Another beautiful reproduction by this process is Turner's 'Liber Studiorum.' These sketches were painted by Turner in sepia, hence its reproduction was accomplished with facility, and with the exception of a little flatness in some of the drawings, it may be said to be a perfect fac-simile of this great artist's work. This great text-book for draughtsmen, hitherto a closed book to the public, may now be purchased at a reasonable cost. Another very charming work, the illustrations to Her Majesty's 'Tour in the Highlands,' by Adam, are rendered with a freshness and vigour the engraver could not approach.

It is needless to say that any drawing in chalk, Indian ink, or any monocrome in fact, can be matched to the exact shade. Thus the artist does not lose by the translation of his work into another tone of colour. Red chalk drawings are reproduced with admirable effect. The attempt to copy in ordinary oil-colour, however, presents certain difficulties which have not yet been overcome, and possibly never will until the art of producing colours by the camera on a photographic plate is accomplished. As it is, in the initial stage, the silver print copy, certain colours, as we all know, do not respond well. Thus blue and the aniline tones come out white, whilst yellow and red print black. Thus the lights and shades of a picture painted in these colours would photograph with the balance of light entirely altered. But there are many low-toned pictures which take very well. As a rule French pictures photograph admirably. A subdued tone is the fashion of the French school, and we may note that the canvass upon which those artists work, instead of being a yellowish-white like ours, is of a pale stone colour. This ground, we are informed, after a time shows through and gives a prevailing grey tone, which is very favourable for taking photographic copies. In the show-room of the Autotype Company there are two copies of well-known pictures—'The Arrest of Hampden when about to embark for America,' by Lucy, and 'The Princess Elizabeth hearing Mass,' by Marcus Stone. We do not remember the balance of light in these pictures, but in the autotype copies it is admirable; but this effect has not been produced by the simple process of copying. The method is either for the artist to make an Indian-ink drawing of his picture for reproduction by this process, or if the details are too elaborate, the picture is photographed, and the proof is sent to the painter, who corrects any faults as to arrangement of light caused by the photographic transfer, either with his chalk or brush, and from this corrected copy the prints are reproduced. The negatives when thrown out of balance from the reason before mentioned are retouched, and a large number of artists are employed in this kind of work. Landscapes from nature require to be corrected in the negative, and the vast number of photos from popular pictures are reproduced by what may be termed this appreciative and intelligent method of translation, which can only be effected by a certain artistic skill.

The facility the autotype process offers to artists to enable them to give the public transcripts of their works cannot be looked upon as the least advantage of the discovery. The ordinary process of line engraving is denied to all but the highest class pictures; no one but a great capitalist will undertake such works. The expense is enormous, and the time consumed in their accomplishment renders the chance of their being finished in the lifetime of the artist very problematical. Raphael Morghen occupied six years in en-

graving the 'Transfiguration;' Doo was twelve years at work in engraving the 'Raising of Lazarus,' and it was not finished when it passed out of the veteran engraver's hands. It is true we have no longer such great works as these demanding the labours of the engraver; but the genius we still have in the artistic world cannot fail to benefit by these newly discovered rapid means of reproducing their works. In a week after a picture has left the painter's easel, a proof impression is presented to him for correction.

But in a very large number of cases these corrections are not needed. We all know how many charming photographs, both of figures and landscapes, meet our eye in the shop windows. We feel quite sure that the majority of these have received no correction in the course of being printed, as they could not otherwise be sold so cheap. When we say that literal copies of all these, in almost any tone desired, can be given by the Autotype Company, and by the other processes we have mentioned, it will be seen how vast is the work they will be called upon to accomplish. The galleries of the Continent have already been reproduced by M. Braun, of Dornach, who holds the autotype patents for France and Belgium; and the rarest pictures of Vienna, the Louvre, and the galleries of Florence and Venice, can be procured at the establishment of the company at a price which is merely nominal as compared with line engravings, to which in some cases they are superior. The Autotype process, as far as we can see, is the best adapted of any of the allied methods for the production of the larger works of art. From this field the Woodburytype method is excluded by the comparatively small size of the hydraulic press used, and the Heliotype method by the size of the Albion press by which its impressions are rolled off, neither of which could take the impressions as large as four feet by three, which the Autotype has just accomplished. But it must be remembered that the Autotype process is a comparatively dear method of production. Every print is accomplished by hand work, and it is not capable of reproducing with great rapidity, by mechanical means, like the other methods. For this reason it will be confined to the higher class of works, for which the comparative cost will be a minor consideration.

We have yet another process to refer to, which appears to be equally successful with the Woodburytype; and which, indeed, in the one particular of cheapness, surpasses it. We allude to Heliotype, a system somewhat similar to the Albertype, but far more speedy, the patent for which has been taken out by Messrs. Edward and Kidd, whose works at Willesden we had the pleasure of inspecting. Mr. Ernest Edwards, whose name has long been well known in the photographic world as the inventor of this method, has the advantage of bringing it before the public in a very high class pictorial and industrial serial, called 'Art,' in which illustrations of the new process are given monthly. The beauty of some of these has attracted the artistic world, for whilst they retain all the delicacy of the photograph, they yet suggest a difference which puzzles the spectator.

From an article in the October number of that journal we quote the following particulars as to the principles and practice of the process:—

'The principle upon which Heliotype is based is analogous to that of lithography, but is much more comprehensive, and admits of results of which lithography is quite incapable. The possibility of producing a printing surface in some degree analogous to a lithographic stone, by means of photography, is based upon the well-known action of light in rendering gelatine and similar bodies, under certain circumstances, insoluble. When bicromate of potash, or similar salt, of cromic acid, is added to gelatine, no change takes place if the mixture is kept in the dark; the gelatine retains its capacity to absorb cold water, or to be dissolved in hot. But if a layer of this chromatised gelatine be dried and subjected to the action of light, it gradually loses its capacity to absorb water, becomes finally hard, repellant of water, and insoluble. . . . . The Heliotype, as we have said, is in its method of working analogous in many respects to a lithograph. It is produced on the same principle, and in a closely similar manner, depending for its possibility on the production of a surface which will repel the adhesion of a fatty ink in every part in which it has absorbed water, and the faculty of rendering that surface absorbent of water in every part but that containing the image to be printed. But there is this noteworthy difference between lithography and Heliotype: The lithographic stone absorbs water in every part of its surface whereon an image in lithographic ink has not been previously produced; but it has no graduated capacity of absorption. The slightest touch of a fatty body, even a finger-mark, will cause the stone to repel water and take ink; where any greasy touch has been, wherever the faintest line of the image exists, it repels water completely and takes ink; where the stone is clean, and no part of the image is, it absorbs water completely and rejects ink. The picture must therefore consist of touches of black and white, and any gradation therein must, as we have explained, depend on lines or points, and not on varying depths of colour in a continuous tint. The printing surface in the Heliotype process has an important superiority over the

lithographic stone; it possesses what may be termed a discriminative power of absorption. This discriminative power in the surface is produced by the action of light upon passing through a photographic negative, the lights and shadows in which regulate the amount of light transmitted. The printing surface, after such exposure, has acquired the power to absorb water in the exact proportion in which it has been protected from the action of light; it also takes ink in the exact ratio that it has, in consequence of the action of light, acquired the power to repel water. Hence the mechanically printed image, in a fatty ink, is as true a transcript of the negative as the silver image printed by light from the same negative. Thus all the truth, and all the facility of delineation which belongs to photography, derived from nature, all the literal faithfulness and precision in rendering, not merely forms, but the spirit, expression, and manner of the original, in producing works of art, which characterise photography, are preserved by Heliotype, with the superadded charm of permanency, and the advantage of a rapid and unlimited production.'

The practical details of the process are as follows:—

'A plate of glass about half an inch thick, more or less, is coated with a warm solution of gelatine, to which a suitable proportion of bicromate of potash has been added, together with a little crome alum to give it hardness. A measured proportion of this preparation is poured on the plate, so that when dry it will form a film about the thickness of a visiting card. This operation, and the drying the plate, are affected by what is technically called the dark room—a room from which all atonic light is excluded. When the film is dry, it is exposed to light under a photographic negative, the time of exposure being estimated by means of the actinometer. The next step is to place the plate in cold water, for the purpose of dissolving out all the unchanged bicromate of potash. After soaking for a short time, the image produced by the action of light on the film is seen in relief, the portion protected from light by the opaque parts of the negative, representing the whites in the picture, readily absorb water, and swell; the portion to which light has had full access, through the most transparent part of the negative, representing the blacks, have been hardened by the light and rendered insoluble and nonabsorbent, whilst all the portions partially acted upon by light, through the graduated degrees of transparency in the negative, representing the graduations from light to dark in the image, have been rendered insoluble and nonabsorbent just in the degree to which they have been subjected to the action of light. The plate, after being thoroughly washed in cold water, to remove all the bicromate of potash, without dissolving any portion of the gelatine, is ready for printing.'

The impression is printed off in an ordinary Albion press. When a print is required, the gelatine printing surface is sponged with water, and after the superfluous moisture is removed with the 'squeegee,' an indian-rubber roller charged with lithographic ink is rolled over the surface. The ink adheres to the deep shadows, which being hard and nonabsorbent refuse the water, whilst on the parts representing the gradations of tone, the ink adheres in such degree as they have rejected water, producing a perfect transcript of the original image. The advantage the Heliotype process possesses over the Woodburytype method, is that as it yields in the press clear white margins, the prints can be bound at once with type; whereas the Woodburytype pictures have smeared margins, and must be mounted, which takes time and trouble; moreover, the thick mounts make the book cockle.

Heliotypy is fitted for all kinds of work, and does not require special negatives, as the picture is not reversed in printing. The pictures can be printed in any colour, and indeed, the patentee makes a point even in ordinary prints of giving two rollings to the plate, one for the dark shadows in ordinary black ink, and another in a gelatinized ink, for the tender tones; and the effect is very good. The impressions in 'Art' by this process are very beautiful. The portraits of Vandyck and Rembrandt in recent numbers are admirable examples of its power of rendering with perfect literalness the vigour and depth of the original paintings, while the rendering of Mount St. Michael, Normandy, is a faultless specimen of rendering this grand seaview. This specimen of work we saw in the library of the printkeeper in the British Museum, and we have reason to believe that the keeper himself looks upon this specimen as a very worthy result of the new art. Heliography promises to give to literature what has been so long desired, printed transcripts of photographs at a cheap rate. The method of working and the cost of production is so small, that it bids fair to invade all the cheaper forms of literature, and to reproduce for us drawings from nature, in place of inferior wood engravings and lithographs.

Let us now pay a well-deserved compliment to one department of a Government office, for not only not lagging behind, but of actually contributing a most valuable process to the arts. Sir Henry James, the Director of Ordnance and Topographical Surveys, has done the nation good service by the discovery and application of the art of photography to one of the most useful works the Government is carrying out. The reader may not probably be aware of the gigantic labour of making a picture of the

United Kingdom—of mapping, with rigid accuracy, the whole surface of these islands, so that any man may put his pen's point upon his own plot of ground. This second Doomsday Book, in picture instead of in print, was commenced on the scale of one inch to a mile in the last century, the first sheet being issued on the first day of January 1800, and the last sheet was not completed until January 1870. In the sixty-nine years that elapsed between these two issues, it may be imagined that the changes were enormous, especially in the neighbourhood of large towns, where the land has either been built over or largely divided. Consequently the early sheets are in many cases quite useless. Had not Sir Henry James come to our aid, the expensive process of re-engraving the steel plates would again have to be undergone. Luckily the rapid powers of photography came just in time to save the nation not only the delay, but the enormous expense of employing the graving tool. Photography is of course, as in all the other processes already described, the transferring draughtsman, and every map or picture can be reduced or enlarged at the will of the operator. In a few words it may be stated that the drawings or plans are transferred to a zinc plate covered with gelatine and bicromate of potash. All the gelatine that has been exposed to light is washed away, and the image is ready to be printed from. By this method a gigantic survey of London is just upon the eve of completion, on the scale of five feet to a mile. When we consider the size of the Metropolis, it will scarcely be necessary to state that the plan as a whole will take a considerable amount of locomotion to inspect it. Not only Middlesex and Surrey, but the whole of Ireland, the towns of Scotland, and all the cultivated ground, is completed on the same scale, and the whole country is now being gradually mapped out in like proportion. The whole of this work is carried on by the Ordnance Staff, the out-door work by the officers of the Royal Engineers, and the men of the Sappers and Miners. Geological maps on a large scale have also been produced, and plans of all our great strongholds and citadels throughout the world; indeed, almost any information desired by the War Office as regards military appliances can now be furnished by this able and working department of the public service.

It was at first doubted that the reductions made by means of photography were strictly accurate, and in 1858 Sir Denham Norreys stated in Parliament that the plans so reduced were not to be depended upon. Whereupon a committee was appointed, of which Sir Roderick Murchison was chairman, 'to report upon their accuracy as compared with plans reduced by the old process, and upon the saving effected by the photographic process.' The result was that 'the committee stated that the greatest deviation in any part of the plan from perfect accuracy does not amount to one four-hundredth part of an inch in the angle of the rectangle, and even this minute error is not cumulative,' and that the saving already effected has been 1,615*l.* per annum, and is now more than 2,000*l.* a year.

Photozincography is by far the cheapest method of copying when simple black and white has to be rendered, and its applicability to the production of old deeds and printed matter has been proved by works already accomplished. The two volumes of Doomsday Book, at one time sealed volumes to the public, are now copied with perfect accuracy, and anyone may now for a small sum purchase a topographical description of his land at the time of the Conquest. Many volumes of the National Manuscripts of England and Scotland, Magna Charta, the whole of the Black Letter Prayer Book of 1638, with marginal MSS. additions and corrections, are also produced in absolute facsimile. The wonderful help photography has rendered to the public in these reproductions is as yet scarcely known, but our unfortunate neighbors across the Channel have already severely felt its influence; for in all probability the facility with which the Prussians overran France, and the fate of many of their successful battles, were due to their marvellous topographical knowledge, which mainly depended upon the maps possessed by them of the country. Some years ago Count Moltke, having heard of Sir Henry James's process, sent over officers from Berlin to learn it, and the maps with which the Prussian soldiers have been so liberally supplied in the campaign were produced by photozincography. Thus the new agent may have been one of the minor causes of the conquest of France. Nearly every country in Europe has sent agents to England to be instructed in the working of this process. It is but rarely, we fancy, that foreign Powers are constrained to take a lesson from our War Office administration, but this is a notable exception. The same process was employed with complete success by Mr. Ayling in the magnificent reproduction of the portraits of the Emperor Charles V. executed for Sir William Stirling Maxwell.*

All the processes founded upon drawings

* See the account of this work, Ed. Rev. vol. cxxxii. p. 70.

from photographic negatives, although admirable for special objects, are yet wanting in the one quality necessary to fit them for the popular press. Illustrations that can be set up with type, and worked with it at the steam press, are the *desideratum*. An attempt to meet this want is made, and we hear is now sometimes employed, by taking the photographic drawing directly upon the wood; thus the more discriminative work is left to the wood engraver, who has the additional labor thrown upon him of translating the drawing with its continuous tints and shades, by means of lines, which are not marked as heretofore, but are left to his judgment and skill.

The application of photography to the microscope has at once opened up to us a whole world of wonders. By means of the lime-light, the momentary glimpses we obtain of the hidden wonders of nature are now fixed by the agency of photography, and the land of Brobdignag is brought before us. As we turn over the pages of micro-photographs, by Mr. Higgins, it seems as if we were for the first time made acquainted with the countless living things around us. Nearly all that the unaided human eye knows of them is, that they have motion—with the larger eye of the microscope, however, it is made clear to us that the despised atoms we brush away with disgust possess delicacies of structure and an elaborate anatomy more complex and wonderful than those patent to the eye in the larger animals. Gulliver in his wonderland never saw the antennæ of a cockchafer as big as a lady's fan, the eye of a blow-fly as big as a cheese-plate, or the lancet and tongue of a corn-fly six inches long. It is quite clear that our intimate knowledge of entomology and of the Diatomaceæ is only just beginning, by means of these registered conquests of the pencil of light, painting with microscopic vision. We may say the same thing, indeed, of the whole invisible world of nature, as heretofore microscopic anatomy and structure could only be imperfectly rendered by the fatigued eye of the artist disabled by long gazing through a powerful lens. The skill of man has now mechanically enlarged the focus of the human eye by thousands of diameters, and with equal facility he has minified its powers and fixed its images in durable pigments upon paper. Indeed, this power of enlarging and minifying photographic images at will is likely to prove of great value to the arts and sciences. During the terrible drama that has lately been played at Paris, we have had an example in the minified messages which have enabled a carrier pigeon to convey, by the aid of microscopic photography, upwards of 35,000 messages and despatches in the space of three inches rolled in a quill fixed to the middle feather of the tail, into the beleaguered city. We have now before us the first sheet of the 'Times' so minified, containing, if we may so speak, the drops of agony of France shed in the page, in the shape of frantic inquiries and messages to unhappy friends and relatives in the clutches of the enemy. From the pages of that journal of the 30th of January, headed, 'How the "Times" was sent to Paris,' we extract a paragraph full of interest and suggestive of a system which may serve more than even the pressing purposes of the present hour:—

'Attempts to establish a rapid connexion between the beleaguered inhabitants of Paris, and their relatives and friends beyond the German lines, have given rise to many controversies which are not unlikely to make a new era in the history both of aeronauts and photography. Among them may be mentioned the ingenious device by which the matter of two whole pages of the "Times" has been transmitted from London to Paris. This has been accomplished by photography. Those pages of the paper which contained communications to relatives in Paris were photographed with great care by the London Stereoscopic and Photographic Company, on pieces of thin and almost transparent paper about an inch-and-a-half in length by an inch in width. On these impressions there could be seen by the naked eye only two legible words, "The Times," and six narrow brown bands, representing the six columns of the printed matter forming a page of the newspaper. Under the microscope, however, the brown spaces become legible, and every line of the newspaper is found to be distinctly copied and with the greatest clearness. These photographs were sent to Bordeaux, thence by carrier-pigeon to Paris. When received there, they were magnified by the aid of the magic lantern to a large size, and thrown upon a screen. A staff of clerks immediately transcribed the messages, and sent them off to the places indicated by the advertisers. The success of the experiment gives rise to the hope that the new art of compression will not stop here. If a page of the "Times" can be compressed into a space a little larger than that occupied by a postage stamp, the matter of an octavo volume might be made to cover not more than two of its own pages, and a library could be reduced to the dimensions of the smallest prayer-book. What a relief it would be to the learned persons who frequent the library of the British Museum, if instead of having to make fatiguing journeys from letter A to letter B of the ponderous catalogue of books, they had its many hundred volumes reduced to a space a yard square over which a microscope could hurriedly be passed. Such suggestions are now occupying the thoughts of photographers.'

Without giving any opinion as to the 'relief

it would be' to the readers of the British Museum to hurriedly peer out the information they require with a powerful magnifying glass, there can be no doubt that the art of photo-microscopic compression has a great field before it, and will be of great value to the sciences as well as to literature.

Scarcely a week had elapsed after the armistice was granted before the shop-windows were full of the photographic sketches of the effects of the war. The Photographic and Stereoscopic Company immediately took advantage of the interval of peace to send its artists to the neighbourhoods of the great battles, and into the midst of the besieged and destroyed towns, in order to bring home to the public the horrible proofs of the ravages of war. What a grim comment it is upon our boasted Christianity that it should be possible to give a picture of the 'only house left in Bazeilles,' and how strongly the terrible downfall of Napoleon and his dynasty is brought home to us by the photograph of the country cottage, with the two chairs in which the Emperor and Bismarck sat to sign the capitulation of Sedan, and the downfall of the Empire. The numerous stereoscopic pictures this company have produced of the seat of war illustrate it in a manner the last generation had no idea of. Professor Pepper, by the aid of the magic lantern, at the Polytechnic, manages to give them lifelike size and colour, and we gaze upon the battered ruins blasted by fire thrown upon a large screen with a vivid reality that almost makes one shudder.

Astronomers have for some time past been in the habit of using photographic apparatus to delineate the heavenly bodies, and Mr. Warren de la Rue's pictures of the moon and sun are well known. The eclipses of the sun in 1867 and 1870 were taken advantage of to record the red prominences and the wonderful streamers which travel from its periphery in rays for hundreds of thousands of miles into space. The pictures of the sun so photographed show that the spots upon the luminary are hourly changing their position, and shape, and the places of their outbreak. So constant are the changes in the heavenly bodies that the human hand is not quick enough to follow them; hence the instantaneous records of the photograph ensures an accuracy hitherto unattainable. An ever-watchful sentinel, it works night and day in our national observatories, recording by constant action the movement of the mercury in both the barometer and the thermometer, and by the aid of magnets marking the flowing curves of terrestrial magnetism, which are indelibly indicated by lines on paper drums, moving by clockwork, and so arranged by regular marks that the time of any record can be fixed to the moment.

With equal impartiality photography seems to be giving its powerful aid to medicine and its allied sciences. Dr. Sanderson, in a paper on the influence of the heart examined by the movements of respiration on the circulation of the blood, gives a plan of registering the rapidity and volume of the human pulse, by means of the pulse-motion, which is made to record itself by a series of zigzag lines upon sensitised paper. This may be considered rather a curious than a useful application of photography, but it is scarcely necessary to say that its aid is of the greatest value to the physiologist, the physician, and surgeon. The numerous changes made in the aspect of wounds can find a faithful record by no other means, and the splendid collection in the possession of the Royal Medico-Chirurgical Society is a testimony to the value placed by the profession upon this method of illustrating their science.

The power of the sun's pencil in giving minute and subtle indications of expression in the human face has made it a valuable teaching power in psychological medicine. The power of words to explain certain types of insanity is feeble as compared with the whole aspect of the patient, and the expression of his face—these the photograph can give with unerring certainty. Dr. Conolly illustrated a valuable series of papers on the varieties of insanity by photographs of the different types, taken by Dr. Diamond from his asylum, and as an aid to diagnosis they are truly valuable.

It has been suggested that, before it is too late, the art should be made subservient to recording the types of the various races of men that are slowly disappearing as civilization advances. This would be a worthy occupation for the Ethnological Society. Dr. Livingstone, we know, received instructions in the art, and we may hope that he will bring us home portraits of the strange tribes he has been made acquainted with during his long sojourn in the interior of Africa.

Dr. Forbes Watson has made us acquainted with some of the leading types of India, but how little do we know of the infinite varieties that exist in that vast country, and in Asia generally. The physical aspect of man is a subject photography alone is capable of correctly illustrating.

With respect to the influence of the evil passions upon the physiognomy, we have some record in the portraits of criminal prisoners. The governors of the criminal prisons furnish copies of these to the head station at Scotland Yard, and a villanous gallery of faces as a rule it presents. There is a photographic

apparatus at the chief police station in Scotland Yard, and it was used some years since for the purpose of taking criminals, especially during the Fenian excitement, but it has not been used since; indeed, there is no legal warranty for taking a prisoner's likeness, and in more than one case where this portraiture has been attempted, it has been successfully resisted. Photographs are often a most valuable aid in discovering 'persons wanted,' but they are nearly always furnished by other persons to the police.

A very singular case of a thief who was 'hoist' with his own petard' occurred some little time since, at the West End. A ticket-of-leave man, whose time had expired, called upon a photographer in the High Street, Kensington, and managed, whilst in the waiting-room, to pick open a desk and steal five pounds in gold and silver. He remained for some time, and on the photographer going to him to ascertain his business, he said he had an order for some card portraits, and he wished to be shown specimens, which was done. The photographer, unaware of his loss, as a reward for his trouble, expressed a wish to take his portrait so that he might present him with several copies. The prisoner was not at all anxious to submit to the process, and it was thought that the likeness was worthless; as luck would have it, it turned out a particularly good one. The loss of money was discovered, the photo was handed over to the police, and by its aid the thief was discovered and apprehended by an officer a few weeks after in Bunhill Row.

The law has obtained, through its instrumentality, a witness to fact which it is difficult to gainsay. There is no cross-questioning such evidence. In cases of boiler explosion and accidents to machinery, and even the damage done to vessels by collisions at sea, the silent evidence of the sun-picture is sufficient to settle many a disputed point, and not long since a lawsuit, in which Earl Spencer was one of the litigants, was decided by a photograph of a public road and a garden wall, which settled a point of disputed boundary.

But the most extraordinary piece of legal evidence we have yet heard of occurred some time since in Australia. A gentleman named Black went with a surveyor to examine into the particulars of a certain mine claim, when he was suddenly seized by some roughs supposed to be in the pay of the other side, stripped, smeared with tar, and for want of feathers was ornamented with straw, wool, and other rubbish. When he managed to escape from his persecutors, instead of retiring to get rid of his horrid encumbrance, he determined to take a note of it at once, and forthwith proceeded to a photographer, where his likeness was taken in this extraordinary costume, and with this evidence upon him he proceeded to his lawyer, and laid his damages at 2,000 dollars, which he ought to have obtained, if he did not.

The War Office has taken advantage of the new agent to obtain pictures of all the modern battle-fields, and especially of the strategic positions and of the fortifications. We are rich in records of this nature, both of the Crimean war and of the Abyssinian expedition. The power of highly sensitive paper in giving pictures of explosion is of great use to the Corps of Engineers. The height and the breadth of torpedo explosions are thus made patent to the eye, the powers of projectiles as shown by the impact of shot in armour-plates are also graphically rendered by the light-picture. It is the practice now to photograph all patterns of stores supplied to this department.

If, in conclusion, we refer to the aid photography will be to art itself, we shall not have mentioned one of its least claims upon public favour. Those who have visited the annual exhibition of the Photographic Society in Conduit Street cannot fail to have marked the instruction the artist may obtain from these moments of nature arrested and fixed by the silver print. The grand sea-views by Colonel Stuart Wortley, in which not only the clear naked wave is painted by the pencil of light as it is rolling over, but the very drifting mist-like spray upon its crest as it dashes upon a rock. Who can estimate the value of such momentary records of details of nature to the artist,—movements that would otherwise fade from his memory? How dignified even the commonest photograph is made by the delicacy of light and shade it presents. Every head has the power of a Vandyck or a Titian. Its teaching power in this respect is undeniable. Year by year the familiarity of the public with the works of this splendid draughtsman will make the acceptance of slovenly drawing impossible. In the art of design the facilities of the sun-picture cannot fail to be appreciated and taken advantage of. Mrs. Cameron, in some of her poetical groups, and her fine examples of form, has taught us its power of fixing grace upon the canvas, and the varying forms of human expression. The same flash of light which registers the drifting foam can seize the emotion of the human soul as depicted upon the countenance. Far be it from us to say that the gifted artist should work from such reflections as these instead of going direct to nature, but their supplementary aid cannot be

undervalued. They will not take the place of the poetical eye and skilled pencil, but they will afford excellent records of needful details, and of fugitive expressions, to be stowed away for future use. The public knows nothing of the folios of sketches the artist keeps by him. These are the bricks, so to speak, out of which the finished picture is built up. Much of this work the photograph will do for him, leaving his mind free for the higher art of conception and design. And it would seem that there is good prospect of colour being added to these pictures of light, the sun's ray repeating the colour from nature. The editor of the 'British Journal of Photography' asserts 'that there is not the least shadow of doubt' of the fact, he 'having seen, handled, and produced them.' The colours, he says, are 'not brilliant, but they are decided enough to be recognisable by any person not colour-blind.' The recipes for producing these heliocromes are given in the journal. If these confessedly imperfect colours can be rendered brighter by further study, and more appropriate chemical agents, photography will indeed be a splendid art, not only for the service it renders to mankind in the different manners we have shown, but in itself, as rendering absolute transcripts of Nature in her own magnificent dress.

ART. III.—*Quæstio de diversâ Iliadis et Odysseæ Ætate.* A BERNARDO THIERSCH. [Appendix to his Essay on the Age and Country of Homer.] Halberstadt: 1832.*

PROCLUS, in his 'Life of Homer,' as edited from the manuscript in the Escurial, says, speaking of the subject of his biography:—'He wrote two poems, the Iliad and the Odyssey; Xeno and Hellanicus deprive him of them; the ancients, on the contrary, impute to him as much as the Cycle;'—that is, all the poetry treating of the whole round of subjects and incidents, real and fabulous, in Grecian history from the origin of the world to the sack of Troy. The statement is hyperbolical in both cases. The ancients—Proclus meaning Homer's oldest critics, Theagenes of Rhegium, Stesimbrotus of Thasos, Metrodorus of Lampsacus, and others mentioned by Aristotle, Plato, Xenophon, and Diogenes Laertius—did not attribute to Homer all the poetry of the epic Cycle, and the Chorizontes would not have taken from him the authorship of the Iliad. When Homer became apotheosized, the Greeks, in their unbounded admiration, ascribed to their god of poetry every good poem the authorship of which was unknown or doubtful, as the Phœnicians credited Sanchoniatho with every history of which they knew not the writer. Homer with his countrymen had then strength enough, and shoulders broad enough to bear any burden; he was the Hercules and Atlas of poetry. Still it is going beyond conceivable exaggeration to accumulate on his back the heap of epics that made up the Mythic and Trojan Cycles. The list is formidable enough with some of his Gnomæ, the Epithalamia, several Epigrams, still in our hands; thirty-three Hymns, yet extant, and the Batrachomyomachia; three similar mock heroic pieces, Arachnomachia, Geranomachia, and Psaromachia; the Margites, a humourous poem; another entitled Αἰξ Ἐπτάπεκτος, and the Cercopes, founded on the transformation of a set of jugglers into monkeys; the Iliad and the Odyssey, destined to be imperishable; and eleven other epics, whose adamant was not proof against the ceaselessly wearing flow of the stream of time: the Amazonia, Cyclus, Cypria, Epigoni, Eiresione, Phocæis, Nostoi, Epiciclides, Thebais, the Little Iliad, and the Capture of Œchalia. How the vast bulk of these multifarious poems gradually fell away from Homer's ownership it would be curious, though now impossible, to know. The history of the dropping away of one or two may be glanced at.

In the time of Herodotus, Homer still passed as the author of the Cypria and Epigoni. The Father of History, applying a test of criticism to the Cypria, made a passing allusion to the account of the voyage of Paris to Troy from Sparta after the rape of Helen, differing in that poem from the account in the Iliad and the Odyssey; in the Iliad, Paris, taking a wide circuit, touches at Sidon, whence he carries off many of the King of Phœnicia's treasures, and makes a long voyage; in the Cypria, he sailed home direct, and reached Troy in three days. From that passage alone Herodotus concluded the poem was not Homer's, and with the very greatest probability, as it was after-

* We have prefixed the title of this Essay to the following article because it conveys a description of the subject we are about to treat, and it is cited by Mr. Grote as the best discussion of it. But it will be seen that we hold it to be far from complete, and that we altogether differ from the conclusion of Professor Thiersch, which is that the Iliad and Odyssey are works of the same age but not of the same author. The word Chorizontes merely means separatists, from χωρίζω to separate, to divide, because they separated the authorship of the two poems.

wards assigned to a Cyprian, Stasinus. The authorship of the Epigoni Herodotus questioned by a doubt intensely expressed—'If Homer, forsooth, by any possibility, composed that poem.' By the time of Zeno the Philosopher, who wrote a remarkable book about Homer (according to Dio Chrysostom), the works of the great poet were then shorn of those two poems, but included the Margites, which, on the principle of every feather to the right bird, was ultimately given to, no doubt its proper author, Pigres of Halicarnassus, howbeit that Aristotle, Plato, and Aristophanes lived and died under the impression that it was a genuine production of Homer's. When the Alexandrian grammarians commenced their labours, the only two epics for which Homer stood accountable were the Iliad and the Odyssey; these, as Mr. Grote rightly observes in his comprehensive and recondite 'History of Greece,' 'throughout the whole course of Grecian antiquity were believed to have been the production of one poet,'—that poet being, of course, Homer. The critics termed Chorizontes, who flourished in the middle of the second century before the Christian era, were the first to point out that they could not be the work of the same author. Whether these Chorizontes were few or many is not recorded, but from the passage in Proclus it would really seem that Xeno and Hellanicus, hitherto believed to be merely their Coryphæi, were the only two.

Of Xeno nothing is known, except that he chose Alexandria as the place of his residence, and filled a brilliant position in its celebrated school of critics. More is known of his collaborator. Hellanicus was the teacher of an Homeric commentator, famous in his day, Ptolemæus Epithetes, himself having been a pupil of Agathocles, and Agathocles of Xenodotus. He was thus, perhaps, a contemporary of that grammarian of unprecedented reputation, whose name in Horace's 'Art of Poetry' is the antonomasia of a critic,—Aristarchus. Hellanicus flourished in or about the hundred and fifty-sixth Olympiad. His characteristic distinction was superfluous acuteness, as one or two of his corrections to Homer sufficiently show (Il. v. 269; xv. 651; xix. 90). Xeno's superflux of subtlety was almost on a par with the exuberant sharpness of his brother Chorizon.

These two shrewd men were the chief, if not the only Alexandrian grammarians who, by illustrations and otherwise, argued that the Iliad and the Odyssey belonged to different ages, and were the works of different authors. The inconsistencies they pointed out appear, from the specimens preserved, to have been principally in composition, language, domestic economy, food, history, and mythology. They called attention to epanalepsis being rather frequent in the Iliad, but so rare in the Odyssey that it occurs but once; thus showing that the author of the latter poem evidently considered the use of the rhetorical figure, Repetition, a blemish, which Homer thought a beauty. Such variety of taste will always mark two writers. Then of itself this goes a great way in proving the different sources of the two poems. Προπάροιθε in the Odyssey, the Chorizontes said, is used as a designation of time, and in the Iliad of place. The unity-believing Greek scholiasts, to prove the contrary, quoted verses from the Iliad which do not indisputably bear out their point. Nor did it escape the Chorizontes that only in the Odyssey εὐτέλη λεξιδία are used, by which Heyne understands 'mean words;' though, from the remarks of the Greek scholiasts, it would seem that the phrase means 'articles used in the management of a family.' Be that as it may, the Chorizontes, in their examples of what they call εὐτέλη λεξιδία, hit upon a class of articles in domestic economy mentioned only in the Odyssey—χοῖνιξ, a measure for corn, and λυχνός, an oil-lamp, while those who would have refuted them instanced the use in the Iliad of ὅλμος, thus referring to a corresponding article of domestic economy, if the word meant, as they deemed, a 'mortar' or 'cylinder,' though it does not, for neither the mortar nor the cylinder seems to have been known in Homer's time, ὅλμος being simply 'a round stone,' which, in the absence of the invention of the proper instruments, was used for pounding groats, beans, corn, or other substances.

Erroneous as the Greek critics of the Christian era, the German critic, Grauert, imagined he had successfully refuted another statement of the Chorizontes, that only the heroes in the Odyssey eat fish, by triumphantly referring to the passage where Homer speaks of men glutting themselves on 'oysters.' Had such an attempt at refutation proceeded from a member of the middle class in Bonn, we should not have been at all surprised, because in Bonn as in London the middle class speak of shell 'fish' shops where lobsters, crabs, and 'oysters' are disposed of at a reasonable percentage for ready cash; but we are really astonished when it comes from a learned doctor, who ought to have known that molluscs are not fish, any more than are whales, dolphins, or seals, and who ought to have given credit to the Chorizontes for having mastered the

contents of the fourth book of Aristotle's History of Animals, and, above all, for having fully remembered the passage in the Iliad, when they themselves explained that the 'oysters' of which Patroclus there speaks were a species of testaceous animals in the sea with continuous shells, as snails and tortoises among testacea on land. The Chorizontes, on the subject of food, might have stated that in the Odyssey people eat not only fish, but game or poultry (xii. 330), and sausages (xviii. 117), which is not the case in the Iliad.

A different statement with regard to an historical matter did not evade the quick-sightedness of the Chorizontes,—Neleus in the Odyssey having three sons and in the Iliad twelve. Here again, in reference to the family of Neleus, they might have added that Nestor in the Odyssey has six sons (counting Antilochus as one) and several daughters, and in the Iliad only two sons and no daughter. From Homer's expression, to 'avenge the violence offered to Helen and her sighs,' they concluded that the poet regarded Helen as carried away by force with a sorrowing soul to Troy, whereas the author of the Odyssey, following the tradition, which had sprung up after Homer's time, insinuating that Helen was carried off with her inclination, looks on the frail Spartan lady quitting husband, home, and child of her own free will, to elope, with a heart as bounding as the Ægean, across that sea to the shores of Asia, with the handsome young profligate son of King Priam. The author of the Odyssey, the Chorizontes further said, confers the epithet 'City-sacking' only on Ulysses; and that is, certainly, contrary to the usage of Homer, who applies it with equal indifference to Achilles and Ulysses, to the god and goddess of war, Mars and Bellona, and to the two heroes Otrynteus and Oileus. What the Chorizontes said of Venus having one husband in one poem and another in the other, the number of towns in Crete, and the different messengers of the gods in the two poems, will be dwelt on hereafter.

These very few specimens of the, no doubt, numerous objections which the ancient Chorizontes raised in attempting to prove their point, have been preserved in the Scholia given to the world in 1788 by Villoison, when he published the valuable codex on which he lighted in St. Mark's Library, Venice, with (not to be disrespectful to the memory of so distinguished and learned a man), the feeling, if not the exclamation, of Dominie Sampson, 'Prodigious!' so great was his admitted wonder in discovering the manuscript, on account of its antiquity, which dates back to the tenth century, and especially the rarity and copiousness of its notes, which were unknown even to Eustathius. The inconsistencies in the Iliad and the Odyssey, herein pointed out by the Chorizontes, are evidently only those which the Greek scholiasts thought they could answer, and which they did answer with satisfaction to themselves, as may be seen by referring to their notes. Modern upholders of the common authorship have sneered at the inconsistencies as slight. Well, they are not very important; still they are so unnatural, they could not have been committed by a sane man.

Independently of these points of difference enumerated by the ancient Chorizontes, modern writers have added others. Payne Knight, reviving the doctrine in his Prolegomena, dwelt on discrepancies between events in the two poems which he deemed incapable of explanation; and Nitzsch defended the theory on the ground that the theology is holier and purer in the Odyssey than in the Iliad. Payne Knight, in his eagerness to carry his point, was led into so many errors from enthusiasm that, after the publication of his essay, the ancient creed remained unassailable; and Nitzsch, so far from convincing others, could not carry persuasion to his own mind by believing in the conclusiveness of his own arguments, for, some time after the appearance of his dissertation, he returned into the ranks of the upholders of the common authorship. Müller, who considers it 'difficult and hazardous to raise any definite conclusion as to the person and age' of Homer, grants in his 'History of the Literature of Ancient Greece,' that in the Iliad and the Odyssey 'many differences are apparent in the character and manners both of men and gods, as well as in the management of the language.' Welcker admits the differences of age and of authorship between the two poems. Thiersch makes partly the same admission. Ihne can see no reason why the Odyssey should not be dissociated from the Iliad, except the desire of scholars to maintain an interest in the later poem by ascribing it to Homer.

But the separation of the Odyssey from the Iliad is too simple a theory to be a favourite with German professors. The Teutonic mind, filled with suppositions and conjectures, revels in the creation of paradoxes, most captivating it when most presumptuous, but radically defective in principle, and incapable of proof one way or the other, as that the Iliad was the work of many poets, whose scattered fragments were collected into a compact form in a subsequent age by a poet of more than ordinary ability. This, which

is Wolf's system, it may be broadly stated, is universally rejected by the scholars of England, Holland, France, and Italy, though some learned doctor in Germany every now and then springs up with an enormity of erudition, absolutely terrifying, to maintain the Wolfian doctrine, or advance a pet extravagance of his own, as Schubart, that Homer was a Trojan; attractive certainly from the novelty of the notion, and the ingenuity exhibited, but repulsive, to any but a native of Fatherland, from the mistiness of the style and argument. Schubart, however, notwithstanding that he claims Homer as 'a gentle, cultivated Trojan,' and not 'a ferocious, barbarous Greek,' is no separatist, acknowledging himself a believer in the Father of Poetry having written the thoroughly Greek Odyssey, as well as the semi-Greek, semi-Trojan Iliad.

Scepticism finds its congenial home in Germany; but the art of examining a question which is believed to hang in uncertainty was best known and cultivated in Greece. From that land Scepticism received its name, of which it is unworthy unless attended by a 'careful looking about,' and 'guarding against' error. When we observe in the Hypotyposes of Sextus Empiricus, where the soul of Pyrrho still breathes, that Greek scepticism can traverse the sciences, contravene even mathematics, we should be cautious before we reject its opposition when it deals with poetry. There it stands upon the firmest principles. Greek scepticism, besides, never indulged in fantastical ideas; to study it is, therefore, no waste of time, and it brings no fatigue to the mind because it never wanders in a wrong direction nor deviates into an unnecessary variety of topics. Modern sceptics may promulgate unheeded their whimsical fancies respecting Homer; one ingenious hypothesis alone should engage our attention—that of the ancient Chorizontes. True, the belief in the common authorship of the two poems has been uniform for ages; it was so in ancient times among the Greeks; it is so, for the most part, with us. But how many a brilliant genius in Greece may have passed into the silence of the grave suspecting the general belief regarding the poems ascribed to Homer, when Pausanias left on record how exceedingly timid he was on the subject—how, after carefully examining the age of Homer, he feared too much the calumnies of his contemporaries to declare what conclusion he had arrived at. We require no more to be convinced that Pausanias, after his laborious scrutiny, was inclined to a new tenet contrary to the received opinion, but preferred silence and supposed adherence to old notions than ridicule for what might be considered paradoxical eccentricity. If so with him, why not with others? And how many Pausaniases may there not be among the bright lights still shining in the galaxy preserved to us of Greek genius.

For awhile, then, we will take up the Chorizontic principle; and, in surveying again the ancient theory, attempt to throw some new light on the famous scepticism, the conducting and details of which, except the few unimportant particulars given, are unfortunately lost. It may be that the time will never come now when Homer's admirers, classical and poetical, will exclaim, with regard to this principle,—'*in hoc acquiescimus omnes*;' yet, notwithstanding the credence that may be withheld from the theory of the Chorizontes, the fundamental pillar of their system can never be shaken, because the text of the poems, so far from being annihilative, is greatly in support of their hypothesis.

As no mention is made of the 'poetry of Homer' before the date of Lycurgus, so it is not until nearly three hundred years had elapsed after the date assigned to Lycurgus that we again hear anything more of 'Homer.' Then something is told us of 'Homer' being rescued from the injuries of time and restored to himself. This was in Athens in the days of Solon. We then hear for the first time of 'Homer's' works being divided into two poems. From this we conjecture that in the days of Lycurgus there was in existence in Lacedæmon a poem of 'Homer's' which was no other than the Iliad, and that in the days of Solon there were in existence in Athens two poems, which were the Odyssey and the Iliad. If it be granted that this conjecture is plausible, we will go a step further in forming another opinion without proof, and say that the Odyssey was not in existence until a very considerable time after the Iliad, from no authentic mention being made of it until nearly three hundred years after authentic mention was made of the Iliad. If this concession be granted, it is in consonance with what we shall now endeavour to prove, and what the internal evidence of the two poems themselves demonstrates, that something like a hundred and fifty, two hundred or more, years elapsed between their composition.

Having thus, in the absence of perfect knowledge, arrived at a specious conjecture that generations, perhaps centuries, had elapsed between the writing of the Iliad and the Odyssey, we prepare ourselves, in the first place, for a change of language, because in a progressive country such as Greece, it is impossible that there should not have been some change in the language after so long a period, when language will sometimes under-

go a great change even in the life of an individual, as in that of Queen Elizabeth. If such a change could take place in three quarters of a century, in, admittedly, an exceptional period, and in a country, it is true, particularly progressive, a similar change must have taken place in two hundred years or so, in any country marked by progress whatever.

Now, as to language, we find words in the Odyssey that we do not find in the Iliad; words, too, as acknowledged by the latest editor of the former poem, not casually used, nor out-of-the-way words, but evidently familiar in everyday style, implying distinctness of vernacular and of vulgar matter. Independently of such words, there are others pointing to a more advanced civilisation than obtained at the time of the siege of Troy, such as περιμηχανόεσθαι, 'to lay stratagem on all sides,'—an evident allusion to the entire investment of a place,—and ἀλετρίς, 'a grinder of corn in a mill,' applied to a woman, when it is certain that in the Iliad the only domestic duties of the women were spinning with a spindle, sewing clothes, and fetching water from the spring, and not grinding corn as we see female servants doing in the Odyssey, in the palace of Alcinous and in the house of Ulysses. A further improvement in language is evident from the author of the Odyssey using the abbreviation ἐξῆς where Homer uses ἐξείης. Payne Knight in his Prolegomena gives several instances of words of four syllables in the Iliad contracted into trisyllables in the Odyssey, trisyllables into dissyllables, and dissyllables into monosyllables. It is a common argument, however, against the unity that contractions are more frequent in the Odyssey; and it is altogether unnecessary to call the classical reader's attention to the fact that this by itself is all but conclusive of the Odyssey not having been written until long after the Iliad. It exhibits an improvement in the language which could not have been in force until the lapse of generations after Homer's existence, it being only gradually as ages progressed that the Greek language, imbibing, as it were, a new tincture, acquired greater and greater delicacy from contraction, till it subsequently attained perfection in the Attic dialect, which, in its fondness for abbreviation, contracted nouns, circumflexed verbs, united syllables in the same word, and joined different words by synæresis, crasis, and elision.

Occasionally a word is found in the Odyssey which has not the archaic signification it had at the time when the older poem was written. This is also very remarkable. Homer uses certain words in a sense which the author of the Odyssey will not follow. The latter poet employs the words in their established acceptation, as the Greek language was written in its purity; we thereby arrive at the natural conclusion that Homer occasionally used words which did not express the precise meaning which by the time of the author of the Odyssey had come to be affixed to them by good usage. Certain verbs, nouns, and adjectives might be mentioned which with Homer have two meanings, while the author of the Odyssey understands them only in one, and that their common acceptation.

The two poets differing in these particulars, differ again as to the use of the digamma. In the Iliad there are certain words, exactly thirty-five in number, in which the application of the digamma is fluctuating and arbitrary. Still there are some words which are always digammated in the Iliad, with which the author of the Odyssey is at variance; and ἦθος, which never has the digamma in the Iliad, has it in the Odyssey (xiv. 411).

There is a slight difference in syntactical construction. This may be instanced in the case of the preposition εἶσω, which is always constructed in the Iliad with the accusative, or the genitive by the ellipse of the accusative. The author of the Odyssey, in common with the more modern epic poets, Apollonius Rhodius, Oppian, Nonnus, and Quintus Symrnæus, joins this preposition without any ellipse with the genitive (viii. 290), and there are instances in his poem where εἴσω occurs absolutely, which never happens in the Iliad. Again, the author of the Odyssey has a peculiarity of sometimes placing ὥστε at the commencement of a sentence unconnectedly, when it becomes the equivalent of the interjection by way of surprise, 'How!' or 'What!' This he does at least four times (i. 227, iv. 45, vi. 122, vii. 84), and, had the Alexandrian grammarian, Nicanor, who is supposed to have pointed the Homeric poems, given us the proper punctuation, a fifth time (iii. 247). In such a position, and with such a meaning, that adverb is nowhere to be found in the Iliad. So, on the other hand, Homer uses ἐκ in the sense of 'on account of' (Il. ix. 562) and 'on' (xix. 375), neither of which is the language of the author of the Odyssey, though Herodotus (ii. 129) follows Homer in the former signification of the preposition, and Thucydides (vi. 32) in the latter.

When we thus find that there are differences in language, in a more modern application of words, the use of the digamma and syntactical construction, we await still graver distinctions.

As in England, in the days of Elizabeth,

there was not only a change in the language, but in the style of houses when the mansion began to take the place of the castle, and in the decorations of the mansion when tapestry was superseded by exquisite oak and chestnut carvings, so we look for the alterations that had taken place in the structure of houses, and in their furniture in the long interval that elapsed between the writing of the Iliad and the Odyssey; and we find, as we expect, that there were many and marked changes.

From sundry passages in the Iliad we are enabled to form, if not an exact, a tolerable idea of the structure and accommodation of houses in Homer's time. A *δόμος*, king's whole residence—what we now-a-days call 'palace'—seems to have consisted of a set of dwellings simply built and made of masonry. The whole was surrounded by a wall, *ἕρκος*, which must have been circular in form, from the poet applying the word to the wall of a garden or vineyard, *ἕρκος ἀλοάων*; and to the teeth in a man's head, *ἕρκος ὀδόντων*. In this outer or circular wall was a gate with folding doors large enough to admit the passage of a chariot and horses. Inside the wall was an enclosure, *αὐλή*, open and exposed to the air, from the poet giving that name to a "sheep-pen;" and, as the ancients offered sacrifices in the open air, from his making it the place of a sacrifice—*αὐλῆς ἐν χόρτῳ*—where, with all deference to the scholiast, *χόρτος* does not mean 'a wall,' but 'a grass-plot.' In the centre of this grass-grown enclosure, and opposite the portal, stood the principal building occupied by the king, and entered beneath a portico built on pillars, so as to admit the rays of the sun in winter, and the cool breezes of summer. If the king had a family of married sons and daughters, they occupied with their respective partners distinct dwellings in the enclosure. The sons and daughters-in-law lived to the eastward or front of the king's home, and the daughters and sons-in-law in the rear or west of it. These dwellings, used mainly as dormitories, and called *θάλαμοι*, were separate, close to one another, and each under its own roof, whence the poet styles them in the sixth book *τέγεοι θάλαμοι*. As in Priam's case there were fifty sons and twelve daughters, these sixty-two separate dwellings must have formed almost a circle round the royal residence, and presented a spectacle pretty similar to that which may be seen in the interior of Africa near the banks of the River Niger, with respect to the habitations of the wives of a native king, from each wife having a hut to herself in the immediate neighbourhood of the common husband's dwelling. The whole of this, which is very primitive, is not to be found in the Odyssey. There the palaces of kings, though far from being splendid, show an improvement in architecture. They were, certainly, still rude and simple, and fitted for the use of uncultured rustics only, their want of elegance and architectural skill plainly indicating that the Greeks had not yet borrowed anything of importance in the art of building from the Egyptians, the Phœnicians, or any other foreign nation. These palaces had neither floor nor pavement, and were strewed with sand, clay, or gravel; but they were furnished, as nowhere in the Iliad, with small windows or openings very high up to admit the daylight, and let out the smoke, and were supported by double rows of wooden pillars around which were seats. From the word for 'door' being used in the Odyssey sometimes in the singular and sometimes in the plural, we infer that when that poem was written doors were made 'single' as well as 'double' or 'folding;' but from Homer always saying *θυρ*AI never *θυρ*H, and, though using the plural, meaning a single portal, (as did not escape the notice of three ancient critics, Aristarchus, Aristonicus, and Herodian,) we conclude that in his day 'a door' had 'two' parts, which opened to yield entrance; in other words, 'folding doors' only were then used. Nor do we find in the Iliad, as in the Odyssey, that under the same roof with the principal apartment was another room to which there was access by communication through a door; that here the king's guests passed the night, and that beyond it was an open portico; nor that behind the principal apartment were private rooms and dormitories for the king and queen, their ministers and attendants; that here the precious treasures were preserved and kept; that here too were the warm baths; that above them were other private rooms and dormitories, in which virgins, widows, and wives (in their husbands' absence) slept with their servants; and that outside the circular wall were buildings in which the night was passed by the inferior servants or slaves, called *δρηστῆρες*, of whom, by the way, no mention is made in the Iliad. In that poem the women had assigned to them the upper part of the house, immediately below the roof or terrace. In the Odyssey, if we are to judge from the movements of Arêtê, Helen, and Penelopê, in the respective palaces of Alcinous, Menelaus, and Ulysses, the women's apartments were on the same floor with the men's, and behind it, as we find Greek houses described in their times by Demosthenes, Lysias, Xenophon, and—if we are to suppose that he transferred the practice of his own time to the heroic ages—Sophocles in his Œdipus Tyrannus.

Here, then, is such a considerable difference in the structure of the house in the Odyssey from what it is in the Iliad, that it unquestionably points to a much later period of civilisation. So does the furniture of houses; passages in the fourth, seventh, and tenth books of the Odyssey indicating more, and no little, perfection in the art of ornamenting doors and the handles of doors, inlaying walls and floors with brass, and seats with gold, silver, and ivory, while the purple coverings and snow-white linen hangings of chairs are far more costly decorations than in the Iliad.

Although the manners at entertainments in the Odyssey are not so primitive as when Homer lived, they are not so ceremonious as when in after-ages a chief manager was appointed, and an attendant to observe that every man drank his proportion, hence styled by Horace 'arbiter bibendi.' There is, however, the attendant termed δαιτρός, who divides and distributes his portion to every guest: in Homer's times it is the master of the feast who carves and gives out the meat. While a cook in the Odyssey provides the various dishes, and supplies the guests according as they choose what pleases them best, Homer's heroes keep no cooks, but sometimes dress their own provisions, and kill the animal themselves. The servants and comrades of these heroes, called θεράποντες —to whom the buccaneers' 'messmates' in the seventeenth century corresponded in almost every respect—employed not only in civil and military affairs, but also in menial offices, perform such duties as blowing the fire, when the chieftain himself takes the principal part in preparing the entertainment.

In both the Iliad and the Odyssey the characters seek neither dainties nor rarities, but live on a simple diet, contenting themselves (in the Iliad entirely, in the Odyssey almost so) with the flesh of sheep, goats, swine, and oxen. Even the Phæacians in the Odyssey, who affect a more delicate way of living, feed neither on fish nor fowl, nor delicacies of any sort, but, as Homer's heroes, on meat, roast or boiled. Though the food of the actors in both poems is extremely simple, there appears to be a variety in diet in the Odyssey which could have been effected only by the slow progress of time. The Chorizontes, we have shown, pointed out that the heroes in the Odyssey sometimes eat fish, and we subjoined game or poultry. Again, the supper, which is the chief meal in the Iliad, has but one distinct part—a course of meat. There is reason to believe that in the author of the Odyssey's time there was a second course, which consisted of fruit of all kinds. If so, we do know that it was not until long after the siege of Troy that the Greeks introduced that second table, or course, which they technically phrased δευτέρη; just as it was not until a very long time after the author of the Odyssey could have lived that they became lavish and profuse in sweetmeats. There is never throughout the Iliad the slightest reference to fruit, excepting grapes, gathered at the Vintage described in the Shield of Achilles; but in the Odyssey the poet dwells with gusto in his description of the apples, grapes, pears, pomegranates, and other fruit in the garden of Alcinous; and equally so of the many fruit-bearing trees, figs, and olives in the orchard of Tantalus. The inference may be fairly drawn that, if there was all this excessive and careful cultivation of fruit by rich men in their orchards and gardens, the use of fruit must have obtained among the Greeks in the time of the author of the Odyssey, as in the more civilised ages, when, as Servius tells us in one of his notes to Virgil, there were two tables—one of meat, and the other of fruit.

In Homer every guest has a distinct table to himself, occasioned by the custom then in use of bringing in and taking away the table and the meat upon it together (xxiv. 476). When the author of the Odyssey lived, it had come to be accounted unsociable and uncivilised to eat by oneself (xv. 465). The table, too, instead of being round, as in the Iliad, was extended in length, that figure being agreeable to the manner of the guests sitting in ranks. In the Iliad nothing is done to the table before the food is placed upon it (xi. 627). In the Odyssey the tables, though not yet covered with linen, are carefully cleansed with wet sponges (xx. 151).

The notion of drinking in the Odyssey suits with the ideas of a more modern politeness than prevailed in Homer's day. In accordance with less civilised manners, wine in the Iliad is drunk pure out of the same large cup, which the heroes pass to one another from right to left (ix. 203, 224). In the Odyssey wine is mixed with a portion of water in a capacious vessel, from which it is poured out into smaller cups, and handed round to the guests by handsome youths with trimmed hair and in neat garments (xv. 328–30). In the Iliad men of the highest quality fill out wine.

The entertainment being over, in the Odyssey diversions follow which remind us more of the time of Socrates than of Homer; for, as in Xenophon's description of Socrates's entertainment, 'when the tables were taken away, a certain man of Syracuse

brought in a skilful minstrel,' so in the Odyssey two celebrated singers, Phemius and Demodocus, are introduced at the close of the entertainment. In the ancient times, when the Iliad was written, there was no such diversion at men's entertainments as music. Neither was there dancing, as in the Odyssey, nor juggling, and whatever else beside could be thought of for the exciting of mirth and cheerfulness.

When, too, we see in the Odyssey the suitors of Penelope and the Phæacians keeping each other's company till the break of dawn, we are again reminded far more of the days of Socrates and his philosophical friends and jovial topers, who would stay together conversing and carousing till the morning approached, than of the stern heroical times of Achilles and his warlike companions, whose habit was, after the fatigue of the day's battle, to depart to rest before sunset.

From the description of music in the Iliad, the songs used in the time of Homer were of three kinds: first and principally, hymns wherein the actions of the gods and heroes were celebrated, as the Lays of the Heroes, sung to his lyre by Achilles (ix. 189), and the narrative of Meleager, related or chaunted by Phœnix (ix. 525–95); secondly, in celebration of nuptial rites, as the bridal song in the eighteenth book (493); and, lastly, of a pastoral character, as the Vintage Song, which the youthful rustic sings and plays upon the pipe to the dancing vintagers (xviii. 569–72). The object of music then was evidently to improve men's manners and appease the violence of their passions. But from the description of the instrumental and vocal harmony at entertainments in the Odyssey, the object of music at that date was not to better manners and soothe the soul, but for the sake of mean and vulgar pleasure; the song of Demodocus being the soft and wanton tale of the loves of Mars and Venus. It is needless to observe that the first species of music is the product of primitive ages, when, harmony being accounted a part of divine worship, songs were hymns in praise either of gods or heroes, or of such solemn and religious ceremonies as marriage, or of such a feast as that of rejoicing at the produce of the vine for the year; and that the second species marks the transition period in Greek history, when music was, as the poet of the Odyssey himself has it, 'the associate of feasting,' 'in harmony with feasting,' 'the ornament of feasting.' Sacred and solemn and pastoral music would be then less agreeable to men's ears than amorous themes of an amusing and lascivious character; and these again would in still more refined times become displaced by the light and cheerful pæans which men sang daily at their meals, as was the case in the days of Aristotle.

Another little fact which further strengthens the view taken, is the following diversity in the celebration of religious rites. The Greeks and Trojans, at the time of the siege of Troy, believed that if they dispensed with any ceremony, however trifling, in a sacrifice or a hecatomb, a prayer or a libation, the gods would be exceedingly angry. Hence they were in the habit of referring the immediate cause of any heavy misfortune to a remissness of theirs in this respect. As a proof of this, witness the words of Achilles with respect to the plague in the camp in the first book (65), and the speech of Æneas with respect to the slaughter of the Trojans in the fifth (177–8). If more conclusive confirmation were needed, we have it in the words which Theocritus in his twenty-fifth idyll has put into the mouth of Hercules, who lived just before the Trojan war. Now, when the Odyssey was written, it was the custom for people to approach the gods in clean and freshly-washed garments (Od. iv. 750). But when the Iliad was written, the religious custom on such an occasion was merely to wash the hands (Il. vi. 266–7), or at most the cup (Il. xvi. 228 *seq.*). The fact is, that just as no such custom as that mentioned by the author of the Odyssey was in vogue when the Iliad was written, simply from no mention being made in that poem of persons wearing clean and freshly-washed garments when praying or offering sacrifices, or making libations or celebrating hecatombs, so no such custom as that mentioned by Homer was in vogue when the Odyssey was written, and again simply from no allusion being made throughout that poem to the omission of any one of the numerous little forms in religious observances being considered highly impious. The whole of this points to a transition period in the use of sacrifices. In Homer's time they comprised the duty of men to the gods, and, performed or neglected, were alone effectual to the success or failure of enterprises; but, as ages progressed, they became gradually modified, till in the end they were altogether abolished; for we can hardly believe that unless, in the later period of Greek civilisation, the ancients had done away with the sacred rites and other mysteries in the national religion referred to by Homer and the author of the Odyssey, Lucian would, in his 'Discourse on Sacrifices,' have so mercilessly ridiculed them, when, too, his scathing sarcasm must have been peculiarly and generally offensive to the feelings of his countrymen.

Both in the times of Homer and the author of the Odyssey it was the custom to treat foreigners with respect and supply them with victuals and other necessaries. In Homer's time no inquiries were made of perfect strangers coming from distant lands who they were and whence they came until after nine days had passed and nine oxen had been sacrificed, as is evident from the conduct of the king of Lycia to Bellerophon, who is not asked for the introductory letter from Prœtus until the tenth day comes that he has been in the house of Jobates (Il. vi. 175–7). This custom underwent considerable modification before the age of the author of the Odyssey—a modification that could hardly have been effected until after the lapse of several generations, as is again clear from the treatment of Ulysses by Eumæus, of Minerva, under her assumed form of Mentor, by Telemachus, and of Telemachus himself on his arrival at Nestor's in Pylus, and at Menelaus's in Sparta. All, though strangers, believed to be from foreign lands, have their names inquired into and questions put to them immediately after they have been feasted.

Along with this altered custom of treating foreigners, the general belief had grown up by the time of the author of the Odyssey, that people who came from distant parts, and were sojourners among strangers were under the peculiar care and protection of certain gods, especially Jupiter, who has hence in the Odyssey (ix. 270), what he has not in the Iliad, the name of 'hospitable.' Nowhere in the Iliad is Jupiter styled Ξένιος, for nowhere in the Iliad is he the patron and avenger of foreigners. In the heroic ages, the rites of hospitality were observed with so much strictness, that to neglect them was looked upon as even more disgraceful than to disregard the duties of consanguinity. Men secured, as we learn from the episode of Glaucus and Diomed, a hospitable reception by merely producing the *σύμβολα ξενικά*, or *tesseræ hospitalitatis*. These presents exchanged at parting, even by ancestors, descendants kept among the domestic treasures as memorials of the fact, and to be pledges for a renewal at any time of friendship between them and those whose progenitors had been friends of their forefathers. Ancestral was thus as binding as personal friendship. But though there was all this species of freemasonry in the days of Homer, Jupiter had not the care of hospitality as in the days of the author of the Odyssey. When we see, then, the Jupiter of the Iliad merely the King and Father of gods and men, ruler of the air, from whom proceed storms and showers, and the Jupiter of the Odyssey, the possessor of the additional attribute of presiding over the rites of hospitality, we have enough wherewith to arrive at the conclusion that the latter poem was much posterior in composition to the former; for we know that Jupiter Pluvius came to be looked upon as Jupiter Hestius in the progress of changes which took place in the heathen mythology after a lapse of centuries.

Furthermore, the Jupiter of the Odyssey accompanies foreigners in their travels (ix. 271). But the Jupiter of the Iliad never descends from the ethereal regions, except on a solitary occasion (i. 423–4); and that is illustrative of a custom which, not obtaining in the days of the author of the Odyssey, is another proof of that poem having been written long after the Iliad. Jupiter leaves heaven in the Iliad in order that, accompanied by all the other gods, he may go to the annual twelve days' festival of banquets spread in the temples before the shrines at Diospolis. There is no testimony in the Odyssey that this opinion still prevailed in the days of its author, that the gods were wont to be present at festivals instituted in honour of themselves.

During the ages of both the poets, people believed that the gods occasionally visited individuals deserving their favour and protection. There was also the idea, akin to the Scripture doctrine of guardian angels, that each person was the peculiar care of some protecting deity. But a passage in the seventeenth book of the Odyssey shows that the gods in the time of the author of that poem were considered, as they were not in Homer's, to be in the habit of visiting the cities of men in the form and garb of foreigners, so that unknown they might enter the homes of the inhabitants, and, investigating the privacy of their lives, ascertain if their conduct was blamable or praiseworthy (xvii. 485–7).

Whoever, in the Iliad, undertakes a journey invokes the assistance and protection of the deity who is the patron of his country (x. 277 *seq.*); on his safe return (x. 292), or arrival at the place of destination (xi. 725–8), he sacrifices a single animal to the same divinity. This is the case with an army as with an individual (xi. *l. c.*). But in the time of the author of the Odyssey, people at the end of a journey sat in groups to sacrifice, and each assembly, consisting of five hundred persons, offered an animal; so that if the travellers made up twenty such assemblies, twenty animals would have been immolated to one god (iii. 5–8). Again, in the days of the author of the Odyssey, a rite of salutation had come to be resorted to when

a man arrived in a country—kissing the earth—a practice in after ages extended to departure as well as arrival, as we see in Ovid's Metamorphoses when the Trojans leave their native shores. In the days of the author of the Odyssey the practice was confined to arrival, if we may judge from Ulysses kissing the ground only on his coming to Phæacia (v. 463) and on his return to Ithaca (xiii. 354).

Differences in geographical statement in the two poems furnish additional proof that the theory in question is based on the solid foundation of truth. The Greeks, originally a sea-roving people—in fact, according to Thucydides and other native historians, a piratical race—found it convenient, in common with corsairs at all ages of the world, to dwell on islands in preference to the continent. The isles of Greece, being thus first inhabited, had many towns, and a large population at a time when the mainland was thinly peopled, before emigration had spread southward from the northerly regions of Thessaly. Under such circumstances we should expect to find that an island mentioned in an ancient Greek poem would have more towns ascribed to it than we should find in a poem of a more modern date. This is just the case in the Iliad and the Odyssey, with respect to Crete, to which, as the Chorizontes observed, Homer ascribes a hundred cities (ii. 649), while the author of the Odyssey gives it but ninety (xix. 172–4). Of course, the upholders of the common authorship have made violent attempts to reconcile the difference of statement, but their arguments have been by no means satisfactory. The opponents in antiquity of the Chorizontes said that reference is made in the Odyssey to the state of Crete after the sedition raised by Leucus against Idomeneus, when ten cities were utterly destroyed. Although this might have been the case, it does not account for the discrepancy. The ten cities had been utterly destroyed either before the birth of Homer, or while he was in his pupilage, seeing that he flourished in the second generation after the siege of Troy, long subsequent to the deaths of Idomeneus and Leucus. Then why should he give one account of Crete in one poem, and another in the other? The fact is, and anyone can see with an irresistible conclusive force of logic, that it points to one of two things—either that the two different statements must have been obtained from two different sources of information, or—what we maintain—be descriptive of Crete at two different periods, and consequently, in either case, point most clearly to the existence of two different poets.

Nor is this the only proof based on geography. Another is to be found in what the two poets say of Pylus, of which, whenever Homer speaks, it is, as Strabo informs us, a peculiarity on his part; for he is not then speaking of the city that was so called, but of the country over which Nestor ruled, which never had that name. The ancient geographer accounts for this from the poet's desire to distinguish one Elis from another, that under the sway of Nestor and that belonging to the Epeïi. Hence Homer makes the Alpheus run through Pylus (v. 545). But the Alpheus did not run *through* or *by* the city thus styled, only through the country which Nestor owned. The author of the Odyssey, on the other hand, speaks of Pylus which belonged to Nestor, not as a country, but as a city (iii. 4); that is to say, the author of the Odyssey speaks of Pylus as he knew of it in his day, a city, and not a distinctive section of the country Elis.

The ancient Chorizontes very properly laid great stress on the discrepancy in the religious mechanism of the two poems, that Jupiter's messenger is Iris in the Iliad and Mercury in the Odyssey; and, indeed, no such fact can be found in the whole history of poetry. It is by itself quite conclusive that the authors of the Iliad and the Odyssey were not contemporaries. A great many ingenious arguments have been advanced by the upholders of the common authorship for the solution of the extraordinary difficulty. The explanation of the Scholiast and Eustathius of the epithet applied to Mercury in the second and twentieth books of the Iliad, *διάκτορος*, as meaning 'bearer of the messages of the gods,' goes the whole length of investing Mercury with the function of Jupiter's messenger in the older poem; but that explanation of the epithet is not more satisfactory than its reference by others to Mercury's character of 'conductor of souls,' both being evidently based on its being taken for granted that the two poems had a common authorship. Nitzsch, Mure, and Gladstone go at some length and with considerable ingenuity into the matter, but they fail entirely in accounting for the difficulty.* Mr. Hayman too, whose excellent and much-wanted edition of the Odyssey is now going through the press, endeavours to solve it by

* Mure's argument, curiously enough, is based on a misunderstanding of the language of the Odyssey. When Jupiter addresses Mercury on his first introduction in the poem (v. 29) as messenger, *αὖτε τά τ' ἄλλα περ*, Mure takes these words to signify 'again, as formerly,' when they are evidently a formula for 'above' or 'beyond all things else'—a meaning which at once destroys the whole of Colonel Mure's argument and the main points of Mr. Gladstone's.

instancing Milton, who in the first half of 'Paradise Lost' inclines to the Ptolemaic system, and in the latter half to the Copernican theory in his celestial machinery, which, says Mr. Hayman, ought, on Chorizontic principles, to imply duality of authorship. It would most certainly if Milton were, as the author of the Odyssey, relating a fact, but, speaking in his own person, he simply shows a desire to diversify the richness of his illustrations. Similar refutation may be made of what Mr. Hayman elsewhere says of Shakspeare and Ben Jonson, that the latter speaks of tobacco and the former never, which should at once lead us, he observes, to infer that they were not contemporaries, when a moment's consideration will show that Shakspeare could not have made any of his characters speak of tobacco without being grossly anachronistic, the incidents in all his plays having occurred at remote periods, or, at any rate, much anterior to the introduction of tobacco into Europe, whereas Ben Jonson laid the plot of many a play in his own time when tobacco was familiar to all. The events, on the other hand, in the Iliad and the Odyssey are synchronistic. They occur at and about the time of the siege of Troy. At that date in Greek mythology Mercury or Iris was the messenger of Jupiter. We find in the Iliad that it was Iris. But if Homer was the author of the Odyssey as well as of the Iliad, he would not have written as if it was Iris in one poem, and in the other have changed his machinery and written as if it was Mercury, notwithstanding all that had been said to the contrary. From what we know was done by the Greek epic poets of disregarding the customs of the age of which they wrote, and considering only those of their own, we gather from this beyond the cavil of a doubt that in the days of Homer the messenger of Jupiter was Iris, and in the days of the author of the Odyssey, Mercury.

So the two poets speak of the Muses as they found them in their own time. Homer speaks sometimes of one Muse as he speaks sometimes of one Ilithyia, and sometimes indefinitely of 'Muses,' as sometimes indefinitely of 'Ilithyiæ,' thus showing that there was no determined number of Muses in his day as in the later times of Greek mythology. But the author of the Odyssey speaks of the whole nine Muses (xxiv. 60). He must, therefore, have heard of Urania, the Muse of Astronomy, which, though the oldest of the sciences, lay still buried in the womb of time when the Iliad was written; there being at that date no knowledge of the heavenly bodies that could be reduced to a system, nothing being known beyond the names of a few constellations and the cycles of the moon. If it is certain that the author of the Odyssey, from his numeration of the Muses, must have lived after the institution of the Trina Dionysia, which gave birth to both comedy and tragedy, it is equally certain that Homer lived before the festivals of Bacchus, and never heard of Thalia, the Muse of Comedy, and Melpomene, the Muse of Tragedy. It is also very doubtful if Homer could ever have heard of Clio, the Muse of History, since the only history written in his day was comprised in such poems as that composed by himself; and if to Clio was assigned also Epic Poetry, it was in after ages when Polyhymnia and Erato presided over lyrical and amatory poems, so that 'the goddess,' whom Homer sometimes specially invokes, was, necessarily, the first and oldest of the Muses, Calliope. Again, two poets show themselves in their conceptions of the duties of the Muses, who in the Odyssey sing lamentations at men's funerals (xxiv. 60), and in the Iliad festive hymns at the feasts of the gods (i. 604).

Shakspeare, in his 'Troilus and Cressida,' —where gods and goddesses should, but do not, act with men and women,—makes Troilus exclaim:—

> 'Hark! you are called: some say the *Genius* so
> Cries "Come!" to him that instantly must die;'

from which it is obvious that our great poet did not know what the creed was at the time of the siege of Troy, but believed it to have been the age of the *δαίμων*, Numen or Genius. No one can think this of the author of the Odyssey; the universal belief in his poem being, as in the Iliad, that each individual has his special god or goddess to be his monitor and leader, who, when needful, is always with him in person, sometimes in disguise, sometimes unseen, but still present, whence Minerva is addressed in both poems as being 'ever present in every undertaking.' It is, nevertheless, extremely difficult not to believe that the author of the Odyssey lived in the latter days, when the *δαίμων* had supplanted the deity. The Greeks then believed that when a man was born his *δαίμων* came to the place of his birth, to be his tutelar companion, observer, and exhorter from the cradle to the grave. That the *δαίμων* thus became a man's guardian companion immediately at his birth, and ruled the whole course of his life, we know from a passage in the 'Picture' of Cebes; we are also told the same by Ammianus Marcellinus, while Menander addresses his 'Numen' as 'the mystical guide of his life.' Now, when Minerva, in the

third book of the Odyssey (26–8), tells Telemachus that he could 'neither be born nor pass through life without the good will of the gods,' and that 'though some of his thoughts will spring from his own mind, yet his δαίμων will suggest others to him;' we have a compound sentiment in strict keeping with the belief of the Greeks in the time of the δαίμων, that unseen souls acted as tutelary deities to men in their long chain of life from birth till death, and, secondly, that many of the suggestions and ideas, and always the very best, which entered a man's mind originated through the influence of his Numen or Genius. It may be said that, in the passage in the Odyssey, δαίμων is only the synonym of θεός, used as Homer himself uses the word, and that Minerva is alluding to herself; but though that be granted, as it readily is, still, if the poet had not lived in the age of the Numen or Genius, it is barely possible that he could have so framed the sentiment.

It is also extremely difficult to believe that the occasional attendance of Minerva on Telemachus and Ulysses in the character of Mentor is not to be understood as the concrete representation of the abstract quality of Wisdom. If so, there is no deification of abstract qualities in the Iliad. Homer never refines upon the general opinions of his age. Throughout his poem he looks upon the gods as possessing actual existence; though rarely visible, they present, when seen, the aspect of ordinary human beings, from whom they are to be distinguished only by a peculiar brightness in the eye, and a peculiar gait expressive of a smooth and light motion; hence Minerva removes the film off Diomed's eyes, that he may distinguish a god from a man. There is a constant presence of celestial among sublunary beings—a perpetual mingling of gods and men on earth; the former, though immortal, can be wounded; though free from human sorrows and infirmities, they are subject to human misfortunes. They inhabit the tops of hills and the summits of mountains as men and women the plains and valleys of the earth, or marine deities they dwell in deep caves at the bottom of the sea, while human beings traverse the surface of the ocean.

Let it not be supposed that Homer believed in mythological deities because he employs their agency in his poem. It were as unsound to suppose that Spenser believed in the fairies of Western Europe because he treats of them in his 'Fairy Queen,' or Shakspeare because he introduces them into his exquisite drama, 'A Midsummer Night's Dream;' or that Moore believed in the race of the Peris in Persia because he deals with them in his 'Lalla Rookh.' Homer could not overlook a universal belief. At that age everyone held in his creed that ministering spirits, whose abode was in heaven, superintended and guided the destinies and affairs of nations and individuals, and had provinces, kingdoms, and families allotted to their protecting care. The belief was as common amongst the Asiatics of Ionia as among the Greeks; it extended to the Persians and Arabians; it entered into the religious system of the Jews and Chaldeans; it spread all over the world. With unerring consistency in the Iliad, nations and tribes, as well as individuals, have their respective attendant deities. Minerva or Juno superintends the acts, and presides over the general destinies of the Greeks; Jupiter or Apollo is the *præstes* or chief in every affair of the Trojans; Minerva, again, is the household goddess of the people of Pylus. Guardian and protector of Greek heroes, she gives courage and strength to Diomed; restrains the arm of Achilles when he is about to inflict summary vengeance on Agamemnon, and instructs Ulysses to dissuade his countrymen from embarking on board their ships, and leaving the war unfinished depart to their native land. In like manner, some superior god or goddess guides and preserves individuals among the Trojans. Venus rescues Æneas and carries him off the field of battle when his hipbone is broken with a stone by Diomed; Latona and Diana tend and cure him when he is placed safe in the tower of Pergamus, and Jupiter—though never descending from heaven on account of his great superiority to the other gods—sends his messenger Iris to order Priam to go to the camp of the Greeks, and get back the body of his dead son Hector. Thus gods and goddesses throughout the Iliad directly take an active part in human affairs. In spite of all this, it is easy to see that Homer did not credit the superstition nor sympathise in the earnestness of the popular notion respecting the heathen gods and goddesses of Greece. And how could he possibly have believed in their absurd and ludicrous interferences among the vulgar?—their common-place connection with ordinary affairs and household interests?—their very close and familiar relation to the everyday life of humanity?—their large admixture of human characteristics?—the close resemblance of their appetites and passions, vices and enormities, to man's desires and emotions, corruption and depravity?—the intimate alliance of their ultimate destiny to the fortunes of men?—their half-human natures, in fact?—their fortunes freighted on the same tide? No stronger proof of his unbelief can be

advanced than his merriness and mirth when portraying the marvellous mixture of the mighty and the mean, the magnanimous and the malignant, in those beings so like our own race,—those lengthened shadows of ourselves. Jupiter possesses such intrinsic capability of mischief that he deceives Agamemnon, and lures him and the Greeks on to ruin. In a quarrel with Juno he threatens to beat her, with the assurance that not all the gods can be her deliverers, should he lay violent hands on her. He holds out the same threat of corporal castigation to the inferior gods and goddesses, if they dare to assist either Greeks or Trojans; nay, if they do, he will seize them by their heels and hurl them to the abysses of Tartarus. He challenges all the other gods and goddesses to lay hold of a chain, should he hang one down from the top of Olympus, and defies them pulling all together to hurl him on to the plains of earth. Venus carries a hero off a field of battle by hiding him in her apron; and bawls outrageously when struck in the palm by a dart flung at her by a young warrior. Vulcan, the limping artisan god, of wondrous fatness and thin legs, rising from his anvil, removes his bellows from the fire, locks up his hammer and tools carefully in a silver box, washes his hands and face and his bull neck and hairy chest with a sponge, then putting on his tunic, seizes a thick stick and proceeds on his way hobbling to see the goddess Thetis, who pays him an evening visit to order a new suit of armour for her son Achilles. These and similar lively pictures attest the undisguised disdain of the poet for the sanctity of the heathen gods and goddesses.

It is equally clear to see that the author of the Odyssey is no more a believer than Homer in the pagan divinities; but his disbelief assumes quite another form. Looking up to Jupiter with special and awful veneration, he would shrink with horror from ascribing to him, as Homer does, the undignified acts enumerated, or placing him in positions so disparaging as Homer relates, of his being bound in chains, committing adulteries, and contending against rebellious giants. The fact is, Jupiter in the Odyssey is treated as God. He is omnipotent; he is omniscient. 'God is able to do all things,' says the poet, speaking of Jupiter (iv. 237); and on another occasion, 'He has a full knowledge of everything' (xx. 75), which testimonies of the power and wisdom of Jove are unquestionable proofs of greater progression in theology than obtained in Homer's time.

While elevating Jupiter, the author of the Odyssey magnifies the other gods. Divine beings are nowhere represented in the Iliad endowed with the power to change the personal appearance of a man; it is otherwise in the Odyssey, where Minerva makes Ulysses handsomer, taller, and stouter, and covers his head with curly hair, the colour of the hyacinth-flower (xxiii. 156-8). In order to effect for him another disguise on another occasion, she, in an entirely different manner, totally changes his personal appearance. In a moment, by the touch of the magic wand of the goddess, the full cheeks, muscular limbs, auburn hair, and bright eyes of Ulysses in his maturity of manly beauty become metamorphosed into the wrinkled face, the tottering members, the bald head, and the lacklustre eyes of the extremely old man (xiii. 429-33).

No supernatural phenomenon occurs in the Iliad by a god's presence. In the Odyssey a universally diffused illumination is the adjunct of a divinity, whose invisible presence is thereby typified. Hence, a deity, though unseen, is known to be present when a room beams all over in pillar, plank, and rafter, from the floor to the ceiling, with a lustre above the course of nature (xix. 36–40). The poet who apprehended that such was the property of a god, could not have belonged to an age when the notion of materialism formed the basis of religion, as in Homer's time, when people were under the impression that the gods were, as themselves, daily visitants on earth, having all the appearance of human beings, and with difficulty to be distinguished from the ordinary run of mortal creatures. It is the conception of a poet who belonged to an age when philosophy was making progress, and men, beginning to lay aside mythological fables, were becoming disgusted with their grossness and absurdities; for it is then that poets make such appeals to the imaginations of people, when they refine and sublimate all etherial matter. The picture has nothing in common with any of Homer's, which are always of a simple primæval age when popular superstitions gave rise to a multiplicity of divinities, all believed to be realities.

Venus in the Odyssey is not so primitive as in the Iliad, nor so idealised as in the full maturity of Greek civilisation. In neither poem is mention made of the myth respecting the birth of the goddess from the foam of the sea. Homer, on the contrary, distinctly speaks of Venus as the daughter of Dionê. In both poems, as in later times, her name is Aphroditê. In both poems she is a soft goddess, with smiling looks of pleasure, great personal charms, and favourable to the passion between the sexes; but while in the Iliad she has the cestus which

possesses the virtues and magical properties of exciting love, she is not, as in the Odyssey, attended by the Graces, who lave and anoint her when she returns to Cyprus (viii. 364). Homer, by styling her 'The Cyprian,' may have considered that she had, as the author of the Odyssey hints, her abode among the effeminate people of the island of Cyprus. But Venus has not in the Iliad, as in the Odyssey, an altar dedicated to her at Paphos (viii. 363); nor has she amours with Mars (viii. 267 *seq.*); nor is she, as the Chorizontes remarked, the wife of Vulcan, for, in the older poem, it is the 'lovely bright-filleted Charis.' From this we gather that Homer was ignorant of the myth, with which the author of the Odyssey was familiar, respecting the union of grace and beauty with skill and toil; or rather that Homer lived before the time when his countrymen typified that union by the marriage of Venus and Vulcan.

Aurora, or Eôs, in the Iliad is Morning or Light, and illuminates the whole world by her simple appearance. Indication of a much later mythology is found in the Odyssey, where Aurora is a goddess drawn in a chariot by two swift-footed horses, Lampus and Phaëthon (xxiii. 246). If, because two horses draw the chariot of Aurora in the Odyssey, four horses in the 'Metamorphoses,' and the winged steed Pegasus in 'Cassandra,' we require no more to know that the author of the Odyssey, Ovid, and Lycophron were not contemporaries, why should we require more to be convinced that Homer and the author of the Odyssey flourished at two very different periods—and the latter much after the former—when Homer never introduces Aurora in a chariot drawn by a pair of horses, but always simply making her appearance either arrayed in a robe of saffron hue, when the day is dawning, or with rosy fingers conspicuous when the morning is somewhat advanced?

The system of fabulous doctrines respecting the other deities of Greece differs as widely in the two poems. Delos in the Iliad is not sacred to Apollo, as in the Odyssey (vi. 162); nor is he honoured with the Neomenia, or festival at the beginning of every lunar month, thereby showing how he had come to be identified with the sun in the days of the author of the Odyssey. Mercury is not a conductor of souls to the realm where disembodied spirits dwell, beyond the Ocean-streams, and the White Cliff, the gates of the Sun and the Land of Dreams, to the Plains of Apshodel (Od. xxiv. 1–18); all such mythology being unknown to Homer, the soul in the Iliad going unaccompanied to Hades (xxii. 362):—nor, as already stated, is Mercury a messenger of the gods. Minerva, again, is not the same goddess in the Odyssey that she is in the Iliad. In the former poem she is skilled in all kinds of arts, she is the goddess of wisdom, and the incarnation of that quality, to enforce which the poet represents her assuming the form of Mentor, the sage, prudent, philosophic teacher; in the latter poem she has the care of war with Mars.

The greatest discrepance occurs between the two poets on the subject of apotheosis; for neither Hercules nor the brothers of Helen are placed among the number of the gods by Homer, while the author of the Odyssey gives them 'equal honours with the immortal deities' (xi. 303; *Ibid.* 601).

Varying on these and sundry other matters of mythology and religious belief, the two poets differ again as to Olympus, which with Homer is sometimes the mountain in Macedonia, and sometimes Heaven, but as Heaven still the mountain; as thus:—Whenever Homer speaks of that part of Olympus which is below the clouds and visible with its snowy top, he regards this as the mountain; but when he speaks of the highest peaks of Olympus, the part above the clouds, he imagines there the abode of the gods. So that when he says Jupiter arrives in Olympus, meaning that Jupiter arrives in Heaven or the celestial abode, it is to be understood that Jupiter arrives on the highest crags of Olympus, which reach beyond the clouds. This distinction, never departed from by Homer, the author of the Odyssey neglects, on one occasion (xi. 312–5), we must believe, of set purpose, or in his day he would have greatly puzzled his audience; because anyone acquainted with the mythology of the ancients knows that when the Greeks came to attach to Olympus its figurative meaning of 'Heaven,' they never, when meaning it to have that signification, carried along in their minds its other original application to a mountain. But we ought not to be surprised at this difference of opinion between the two poets, when the author of the Odyssey speaks of a system of the world which was certainly unknown to Homer, seeing that the belief sprang up at a much later period, of columns upheld by Atlas sustaining the earth and sky (i. 52–4).

When Homer lived, the day was divided into three parts, the morning, the noon, and the evening (Il. xxi. 111), and the night, as among the Jews, into three watches (Il. x. 253). Some time in the four centuries which elapsed, as Herodotus himself informs us, between his age and Homer's, the Greeks, as he again tells us, obtained from the Babylonians the subdivision of the day into

hours. This must have been prior to or about the date of the author of the Odyssey's existence, for that he knew of the division of the day into hours is plain from a passage in the third book of his poem (324). Moreover the author of the Odyssey was, to all appearances, acquainted with the Attic Calendar, or the month of thirty days, divided into three equal portions of ten days each. A passage in the fourteenth book shows this (161–4); and, as the passage stands, it is conclusive, taking all other things into consideration, that the author of the Odyssey knew of the threefold division of the month as we have it in the Attic Calendar. Homer, of course, gives no indication of any such knowledge. He lived generations, if not centuries, before the Attic Calendar was dreamt of.

We are inclined to believe that a later age is indicated when the author of the Odyssey speaks of the crimes committed by the members of the family of Agamemnon against their parents, of which Homer takes no notice; for it is almost impossible to bring oneself to fancy that if they were actual facts and known to Homer he would have slipped the many opportunities that presented themselves to him in the course of his very long poem of making some allusion to them. As Homer then is silent on the subject, it would almost seem that the numerous domestic horrors which were recorded of this house and furnished so much matter for the tragic poets were the inventions of a later age. Ægisthus murdering Agamemnon and Orestes killing him—referred to thrice by the author of the Odyssey, but never once by Homer—may, after all, have been as pure fictions as were, in all probability, the adventures of Œdipus, who, though guilty of parricide and incest in the plays of Sophocles, and Euripides, dies with honour at Thebes, and has funeral games celebrated at his tomb in the Iliad (xxiii. 679–80), or the story of Achilles concealing himself in a female dress among the women in the gynoceum of the palace of Lycomedes, King of Scyros, in order to avoid his engagements at the siege of Troy; or the blindness of Phœnix, who, though having the full use of his eyes in Homer, is deprived of those members in Lycophron.

Several improvements in the arts observable in the Odyssey are unquestionable evidences that that poem was written generations after the Iliad. Homer refers to workmanship of remarkable excellence, tripods made of different descriptions and applied to different purposes, used as vessels as well as seats and pedestals for statues. But to maintain that the use of machinery, similar to clockwork, was known in his day because tripods made by Vulcan are self-moving and go of their own accord to the councils of the gods and return home again, is to deprive the poet of all powers of imagination. It is akin to supposing that because Spenser speaks of a palace made of glass to which the nations of the earth resort, the author of the 'Fairy Queen' had seen such a Crystal Palace as that on the heights at Sydenham and such an exhibition as the international one of 1851 or of 1862, and that Shakspeare, when he makes Puck say that he will 'put a girdle round about the world in forty minutes,' was aware that distant parts of the earth were placed in electric communication by telegraph wires carried over the land and submerged in the bed of the ocean. That the hinting at automatous tripods was pure imagination on the part of Homer is clear from his description just after of Vulcan's workmanship in the manufacture of golden attendants; for these handmaidens or waiting-women, who have all the appearance of living beings framed in the precious metal, are fabled as not only having the power of motion, but being endued beyond the capability of human fabrication, with the principle of thought and action, and, along with understanding and mental energy, corporeal functions implied in their muscular strength, faculty of speech, and divinely acquired accomplishments. All that is allowable to be deduced from such a picture is that statues were known to Homer, which was more than likely, as the Assyrians, from the most remote antiquity, possessed the art of forming figures in perfect imitation of nature. A considerable degree of excellence was attained in the art of jewelry in Homer's time; women used clasps to their dresses, bracelets, necklaces and head pins or ornaments formed to imitate the calyx of a flower. In those respects there seems to have been as much skill practised in Homer's days as in those of the author of the Odyssey. Riding on horseback appears also to have been known at both periods, though at the siege of Troy it was not generally applied to military purposes. Other arts and habits of luxury are introduced into the Odyssey which seem to have been entirely unknown to Homer from there being no trace of them in the Iliad; and they are marks of a more advanced and civilised age; such as eagles used in hawking and hooks in fishing. The style of catching fish in the older poem reminds one of the piscatory habits of the aboriginal inhabitants in some parts of the vast continent of America, such as the Arowauk Indians, who, taking up their position on an enormous boulder or rock in the mid-

dle of a creek, or by the side of it, kill fish by flinging prongs or darts at them as the finny tribe swim past close to the limpid surface of the stream. So the man fishing in the Iliad is pictured sitting on a projecting crag, and after evidently throwing some brass missile, like a spear or a lance, at a big fish, and striking it as a harpooner nowadays strikes a whale, hales it out of the deep with a hempen line fastened to the spear or lance (xvi. 406–8).

Payne Knight, in his 'Prolegomena,' was the first who observed that rope in the Odyssey is made from the Egyptian plant papyrus, and in the Iliad of flax, which is also the material of which lyre-strings are made in the Iliad, while in the Odyssey they are made, as now, of catgut. He was also the first who drew attention to the lyre itself in the older poem being of simple construction, but in the later one a very improved instrument, from having in the Odyssey, what it has not in the Iliad, the peg for setting the strings high or low. But neither he nor others who would separate the authorship of the poems noticed that Dress, in the Odyssey, marks a period posterior to the age of Homer. Men's dress, in both poems, consists of the tunic, the *læna*, and the *pallium*. Probably in both ages the læna was fastened, as in the Odyssey, by a brooch; but there appears to have been so much change in men's costume by the time the Odyssey was composed, that the læna was then more costly in make and of a richer dye, whence the poet gives it the epithet, πορφυρέη (xix. 225). So it is possible that women as well as men may, in the times both of Homer and the author of the Odyssey, have worn the pallium; but we have reason to believe that that garment (from ῥῆγος being used as a convertible word for it) was more elegantly wrought and dyed in the author of the Odyssey's day than in Homer's. When, too, in the Odyssey, ζώστηρ is spoken of as a part of Nausicaa's dress (vi. 38), we know from a passage in Pausanias that that was the name given in after ages to the article of female attire which Homer always calls ζώνη. In Homer, again, the long white garment known as the peplum is peculiar to Minerva and the other goddesses, though there are passages which show that it was also worn by *Asiatic* women of high social position; surely progress of time is indicated by the fashion having spread, in the days of the author of the Odyssey, to *Greek* women of rank.

In both poems the sudden and violent deaths of men are attributed to the arrows of Apollo, and of women to the darts of Diana; but a variety in the art of healing in the two epics marks the Odyssey to be of a later age than the Iliad.

The practice of physic was altogether unknown in Homer's day. The Divine Power was supposed to have laid a heavy hand on every individual in whom a malady discovered itself. Internal disease, thus attributed to the immediate stroke of Heaven, was regarded as incurable. The ancients, however, believing that the gods were backward to punish, represent them giving a warning to those about to be distempered by some easily understood intimation of their anger. Thus in Holy Writ, Jehovah causes in Exodus a murrain to break out among the cattle before he afflicts the Egyptians with boils and blains; and so in the Iliad, when pestilence visits the Grecian camp, Apollo destroys the most useful of the four-footed animals, the mules and dogs, before he kills the troops. It was Hippocrates who carried to perfection the science of physic, and introduced medical practice into Greece, after systematising the cures which he found recorded in the sacred books preserved by the Babylonians in their temples. Before his time the place of physic was supplied by charms and incantations. That these were already adopted in the days of the author of the Odyssey is evident from the sons of Autolycus staunching blood by singing songs (xix. 455–8), as physicians are still said to do in Egypt and India, and as in days of yore the Northmen of Iceland and Norway used to charm away disease by composing Runic rhymes.

The surgeon in Homer's time was so highly esteemed that (according to the poet) he was 'honoured in preference to many.' Nevertheless, his skill went no further than to the extradition of a weapon, alleviating the pain of a wound by sucking out the blood, and stopping hæmorrhage by the application of a few herbs. In addition to these simple ordinary remedies, Homer mentions another species of surgical treatment —lotions (Il. iv. 218), while the author of the Odyssey mentions two others which show an advance in pharmacy—ointments (i. 262), and potions (iv. 220).

On account of unguents being known in the author of the Odyssey's day there were then poisoned arrows, of which the poet speaks on one occasion, when he alludes to Ulysses going on a voyage in search of 'deadly poison with which to smear arrowheads' (i. 260–2), as the natives of Guiana, at this day, undertake long journeys to the settlements of the Macoushis to obtain the woorara poison described by Dr. Bancroft as instantaneously fatal. The practice of preparing unguents not having come into use

at the time of the siege of Troy, the tips of arrows were not then overspread with adhesive poisonous matter. Had they been we may be positive that Homer would have made frequent reference to the circumstance, and used toxical darts and spears pretty lavishly for the mutual slaughter of Greeks and Trojans.

A medicinal simple unknown to Homer is spoken of by the author of the Odyssey as a drug from Egypt having the power of rendering the soul impervious to the invasions of grief or any violent affection, and causing entire forgetfulness (iv. 220–30). A moderate dose of it taken by Helen in a cup of wine makes her cheerful, quiets her spirits, and eases all her pain of mind. These symptoms leave no doubt but that this drug is the product from the white garden poppy, which, now-a-days named opium, has from very early times been known to the inhabitants of Egypt and Natolia, the East Indies, and every country in Asia.

The food that horses received in Homer's day was different from that in the days of the author of Odyssey. Both poets represent horses fed on *κρῖ*, or rather, what they both name *κρῖ λευκόν*, by which we may suppose they mean 'barley,' that having been the food given to those animals by the eastern nations in all ages from the remotest period to the present day when the Arabs on the plains of Jericho still grow that bearded kind of grain for their horses. But with barley each poet mixes a different kind of grain. With Homer it is *ὀλύρα* (Il. viii. 560), and that may be 'rye,' or a species of rye, 'spelt,' or that small kind of wild pea, 'vetch;' with the author of the Odyssey it is *ζεία* (iv. 41), by which, though we must understand another grain or seed or capsule of a legume, we cannot easily determine what kind; for the botanic-historical points of difference between *ὀλύρα* and *ζεία* are not capable of being correctly decided from what has been transmitted on the matter by Herodotus, Theophrastus, and Dioscorides, Pliny, and Celsus; but if the learned Dr. Julius Billerbeck is an authority, he understands by *ὀλύρα triticum zea*, and by *ζεία triticum monococcon*. The question is not of the slightest moment, merely matter of curiosity: as to the present inquiry, it is quite enough to know that a different name stands for a different thing, and that a different custom recorded in the two poems as to the fodder of rich men's horses in the same country, points, as clear as daylight, to two different ages.

Equal confirmation of the truth of the theory is found in the diversity of botanical knowledge possessed by the two poets. They are at variance with respect to *λωτός*, each understanding a different thing by the use of that word. Homer, in his beautiful picture of a heavy fall of snow on a wintry day, speaks of fields rich in the growth of grass and 'lotus' (Il. xii. 283), by which we may understand that species of trefoil called 'clover.' If, then, 'lotus' here means clover, it is food for cattle in the Iliad; but in the Odyssey, it is food for men, the poet describing it as 'honey-sweet fruit,' so delicious that those who partake of it lose all desire of returning home, but wish to stay the remainder of their days among the Lotophagi (ix. 94–7). From the description given by Herodotus and Athenæus of this fruit, it is more than probable that it is the 'jujube.'

In a botanical direction, the point most convincing of the Odyssey being produced subsequently to the Iliad, is found in what the author of the later poem says of the young palm, in all probability the date palm, which shot up beside the altar of Apollo in Delos (vi. 163). This tree, which the author of the Odyssey calls *φοῖνιξ*, was not known to the Greeks in the time of Homer, its transplantation from Phœnicia not having yet taken place. Had its existence been known to the author of the Iliad, he could not have spoken of it as the author of the Odyssey by the name *φοῖνιξ*, that having been derived from the country whence it was introduced, and which, in order to be distinguished from all other kinds of palm, it received when acclimatised in Greece.

It will be readily admitted that drying wetted garments by exposing them to the wind is an earlier custom than drying them by exposure to the sun, particularly when in the former instance the garments are not removed from the person, and when in the latter they are taken off the body. The first habit was resorted to in the rude times of the siege of Troy (Il. xi. 620–1), and the second in the times of somewhat more refinement when the author of the Odyssey flourished (Od. vi. 98).

There is a difference in the fashion of men greeting one another in the two poems. In Homer's time it was the mere manly grasp of the hand, in conformity to the rough humour of hardy heroes. But, as time advanced, this pure and simple style of greeting gave way to a more demonstrative enunciation of good wishes. The Greeks, being a people endowed with a peculiar vivacity and impressionableness of feeling, were as prone by nature to reflect the violent and exaggerated enthusiasm of their character in outward forms of behaviour as the

modern Frenchman or Italian; and we have a clear notion of the gradual working of civilisation from Homer's times to those of the author of the Odyssey by observing the great change that had taken place in the mode of salutation at the latter period when, in keeping with the more effeminate fashions which we must presume then prevailed, men kissed each other's hands and eyes, heads and shoulders. Two herdsmen, one a keeper of cattle and the other of swine, recognising their master on his return home after an absence of twenty years, welcome him by throwing their arms round his neck and, embracing him affectionately, kiss his head and shoulders. Ulysses, the master in question, foolishly tender and pleased in as great a degree at again seeing his swine-herd and cow-herd, caresses and cockers Eumæus and Philœtius by kissing their heads and hands with equal fondness and unrestrained cordiality (Od. xxi. 223–5).

Payne Knight and Thiersch both remarked that a place of public resort, where people met to hear and talk about the news, named *λεσχή*, mentioned in the Odyssey, is not referred to in the Iliad; and yet if it had been in existence in Homer's time, he would certainly not have failed to notice it, many opportunities having presented themselves to him, as in the passage where he alludes to the *ἀγορά*, the *θέμις*, and the *θεῶν βωμοὶ* erected on the open space in front of the Greek ships. But it is clear that he knew no more of the *λεσχή* than that species of festival called the *ἔρανος*, which is twice mentioned in the Odyssey, a pic-nic established for the consolidation of good fellowship and affection, and to which every one who went brought his portion. From the details given to us of it by the ancients, it reminds us more of the agapæ of the early Christians than any mode of feasting common to the heroes in Homer's days. We then hear but of two festivities of rejoicing, the *γάμος*, or marriage-feast, and the *εἰλαπίνη*, to which the drinking-bouts of the Elizabethan era must have borne some resemblance. At the date of the Trojan war, when Greeks, swilling like Scythians, drank wine pure, and in great quantities, from the belief that it made those who drank it furious and courageous—*τὸ γὰρ μένος ἐστὶ καὶ ἀλκή*, says Homer—the *εἰλαπίνη* was the appropriate feast of jolly-good-fellows and jovial companions; but in the more civilized days of the author of the Odyssey, when wine was drunk mixed with water, and women and girls partook of it as well as men, the *ἔρανος*, adapted more for pleasant social intercourse than mere eating and drinking, was in seemliest keeping with the spirit of those later days, though not at all in unison with the temper and characteristics of the primitive times of young Greece when Homer sang the tale of Troy.

Among the several rites described relative to the funerals of Patroclus and Hector in the Iliad, there are differences in two important particulars from those described relative to the funeral of Achilles in the Odyssey; the rites in the latter obsequies distinctly noting a later period. In the Iliad, when the flames die out, the lighted embers are extinguished by the pouring of wine upon them, and the bones that remain are gathered, and gathered only; in the Odyssey, bones, after being collected, are preserved in pure wine and oil. In both ages victims were consumed with the bodies of the illustrious dead: in Homer's, if we are to judge from the slaughter by Achilles of twelve noble Trojan youths whom he had captured in battle, the victims were men, who, after being killed by the cutting of their throats, were placed on the funeral pyre. In this we have evidence of a barbarous age when excessive grief and extravagant desire for vengeance would not allow men to preserve any moderation. Such a human holocaust, opposed to the notions of all civilized nations, was abhorrent to the Greek race, and had fallen into disuse already in the days of the author of the Odyssey, for the Greeks in his poem observe no such custom at the funeral of Achilles, the only victims slain at the pyre being brute animals, sheep and oxen.

Men in primitive times, in addition to immolating their fellow-creatures, are very cruel to those who commit adultery with their wives; but in the progress of ages, their souls becoming softened by civilising manners, they correct their savageness in the one case, and in the other reclaim themselves from needless acts of inhuman ferocity. A change much for the better with respect to the punishment for adultery as met with in the Iliad is observable in the Odyssey. In the older poem Hector, telling Paris the nature of the punishment he deserved for stealing another man's wife, says, 'You should put on a coat of stone;' and we can easily understand, considering the antiquity of the poem and the fierce retaliation of injured men in the earliest times, how those commentators are right who assert that the poetical expression implies 'stoning to death,' and not, as the Scholiast interprets it, 'being buried in a sepulchre.' We may, then, fairly presume that when Homer lived the Greeks and Trojans, in common with other Eastern nations, had the penalty of the Jewish law as the punishment of adultery. A much milder form of penalty had come to be

adopted in the days of the author of the Odyssey, a money-fine, as the case is with ourselves now; and, if we suppose, which was likely to have been so, that the author of the Odyssey applied, as Homer did, men's customs to the gods' transactions, this money-fine, termed *μοιχάγριον*, was paid by the adulterer to the husband; and if the adulterer failed to pay it he was cast into prison, nor set at liberty until he had discharged the mulct, or procured some one to become surety for his payment of it, in addition to which the father-in-law, on account of his daughter's guilt, refunded the money which the husband had given him on receiving his daughter in marriage. The whole of this, which is set forth in the amusing episode of the loves of Mars and Venus, is of infinite importance in this inquiry, because it shows clearly how money was in constant and common use in the days of the author of the Odyssey; and this should be brought home to our minds with thorough conviction when the poet uses the phrases, *χρέος ἀλύσσειν* and *ὑπαλύσσειν*, 'to avoid paying a debt,' and *τίνειν*, 'to pay,' those being the exact casts of expression peculiar to the Greeks for such dealings in the time when money was a medium of exchange among them.

It may here be further noted that the two poets have two different words for the precious things or valuable possessions of a man. The author of the Odyssey calls them XPHMATA, Homer KTHMATA. The latter word, 'things that one possesses'—'property,' shows a rude state of society when the necessaries of life are exchanged for one another, and the former word, 'things that one uses'—'money,' an age when the use of coin was introduced. Pliny tells us that such a convenience as current coin was not known to the ancients at the time of the siege of Troy, but that commodities were interchanged for one another. If we are to attach truth to Pliny's statement, we must reject the story of the people of Asia Minor adopting from the Chaldæans or Babylonians the application of the system of coinage in the pre-Homeric period. Coins, at any rate, do not seem to have been known to one so extremely well informed of everything going on around him as Homer, for if he had known of them we may be pretty certain, nay, confident, that he would, somewhere or other, have made allusion to 'money.' There is one passage, to be sure, in the Iliad where he is supposed by some of the shrewd and knowing among the learned, such as the Scholiast, to be alluding to coins—where he speaks of Glaucus exchanging his gold armour for the copper suit of his less well-clad friend, Diomed; the Scholiast does not hesitate to say that Homer, from confining his speech to harmonic disposition of syllables, was prevented writing *δεκαβοίων* for '*ἐννεαβοίων*,' the *ἐννεάβοιον* being a coin that never was in existence among the Greeks. But as we cannot bring ourselves to believe that Homer wrote in mistake on account of rhythm—particularly when he could so easily, as Dr. Clarke suggests in reply to the Scholiast, have written with a little poetical license, *ἑκατόμβοια δεκαβοίων*—we are driven to the necessity of concluding that coin was not known in his day, and that he wrote a word to signify 'the value of nine oxen,' just as when describing the prizes contended for at the games instituted in honour of the death of Patroclus in the twenty-third book, he speaks of a large tripod being worth *δυωδεκάβοιον*, 'twelve oxen,' and a female slave, *τεσσαράβοιον*, 'four oxen.'

In the passages where Homer alludes to the 'talent,' if he wishes to indicate a certain weight of a certain value, that weight does not correspond to, or even approximate, any known standard in measuring money—Æginetan, Euboic, Attic, Babylonian, or Chaldæan—that prevailed among the ancients. If so, a judge at the time of the siege of Troy received two talents—about 500*l.* of our money—for deciding a case, which seems like an impossible fee, when in the later and better-remunerated period of Greek civilization, a judge received about three pence—that is, two obols—at the end of a session. From its place in the order of prizes for the chariot-race in the twenty-third book it is easy to see that the 'talent of gold' was of very inconsiderable value, the first prize being a female slave and that three-legged utensil or article of furniture—a tripod; the second, a mare with foal of a mule; the third, a 'lebês,' a brazen bowl to boil water in—a kind of kettle; the fourth, 'two talents of gold,' and the fifth a phialê, or ornamented plate. From such an arranged catalogue we have overwhelming proof that 'two talents of gold' in Homer's time, from being inferior in value to a large new brass kettle, and just worth more than a plate so made as to be used with either side downward, were not at all in accord with the system of weight that prevailed throughout Greece in the historical period.

Under these circumstances it is very easy to perceive that the stories of the very high antiquity of weights and measures and of coinage transmitted to us by the Greeks are as mythical as traditionary; what is more, there is a great deal of contradiction in them. Plutarch says that Theseus was the first who coined money; Herodotus, the

Lydians; Pollux, Phædon, King of Argos; and Larcher, in one of his notes to Herodotus, speaks of a tradition that it was Demodicê, the wife of King Midas. Where there is so much conflict the whole must be rejected, especially when we recollect what the Roman satirist says about the mendacity of Greece in her history. Pliny, a great authority on such matters, entirely disregarding these statements, says that the first stamped coinage was issued by Servius Tullius, which Ovid also says, and is corroborated by his commentators, Charisius, Victorius, and Cassiodorus. Pliny, it may be urged, is speaking of a usage in his own country, irrespective of the rest of the world. But no candid person will say that he seems to be doing so. It matters, however, very little whether Servius Tullius first introduced the innovation or borrowed it from a foreigner. The innovation was of such an important character that once introduced among a nation, it was sure to find its way in a very short time into all other civilised countries. The Phœnicians, who traded alike with the Babylonians and Persians, Greeks and Romans, would very soon convey to those nations who were ignorant of it that there were people using current coin as a medium of exchange. Let us suppose that stamped metals for money had been known to the ancients in Eastern countries a hundred years before they were introduced to the Romans. Even then the word 'money' found in the Odyssey fixes the composition of that poem some two or three hundred years after the Iliad; for whatever number of fables may surround the achievements and existence of Servius Tullius, as is very clearly shown by Niebuhr, and whether we have not the period of his existence and the length of his reign, as is fairly combated by Sir George Cornewall Lewis, yet we have no reason to doubt that he was the last king but one of Rome; and if the first Consuls, Brutus and Collatinus, were appointed B.C. 509, such chronology is sufficiently satisfactory to prove that the Odyssey could not have been written until the seventh, or much more likely, the commencement of the sixth century before Christ, whereas the Iliad must have been composed some time in the ninth century, if it be accepted that Homer flourished in the middle of that century, as we are distinctly assured by Herodotus, *Ὅμηρον ἡλικίην τετρακοσίοισι ἔτεσι δοκέω μευ πρεσβύτερον γενέσθαι, καὶ οὐ πλέοσι.* If then Homer was 'not more than' four hundred years before Herodotus, he flourished B.C. 844, as Herodotus flourished B.C. 444; a very different account, to be sure, from what Herodotus's double, the supposititious author of the 'Life of Homer,' tells us of the Father of Poetry, that he lived at the beginning of the twelfth century before the Christian era, or 622 years before the Persian invasion under Xerxes.

We mark in the Odyssey what we do not observe in the Iliad, certain established manners and common modes of acting as well as out-of-the-way and curious superstitions, indicating gradual progression and improvement in the customs and habits of the Greeks, as well as in their idle fancies and auguries, indicating, consequently, growth of time; such as placing various gifts on the funeral pyre while performing the obsequies of dead friends and relations; princes debarred from succession to their fathers' kingdoms on account of oracles; dead men coming from their graves to answer questions; sneezing considered a good omen; the flight of birds portending great danger and even death, when, after tearing their necks and breasts with their beaks, they fly with a varied course against the wind; men, before dining, bathing in baths, called *ἀσαμινθοι*, anointing their bodies with oil, and clothing themselves afresh in soft woollen tunics and lænæ.

A young man going to bed, in the Odyssey, is accompanied by an old female servant of the better rank with a lighted torch to his chamber. There taking off his tunic, he hands it to this aged attendant, who, folding it up and hanging it on a peg, leaves the room, drawing the door to and fastening it (i. 424–442). Much more plain and simple manners are observable in the Iliad, where the poet treats us to no such pleasing picture of the delicate ways of civilization, but, leaving the female attendant, almost invariably a damsel, in the presence of some sturdy, young specimen of heroic humanity, tells us, as a mere matter-of-fact announcement, *τῷ δ' ἄρα παρκατέλεκτο γυνή.*

Gymnasts in the Iliad take part in the dance by whirling round in rapid orbits like bodies turning upon an axis (xviii. 599-602). In the Odyssey not only are these gyrations alluded to in the same words found in the Iliad, but there is mention of another dance known to the people of Corcyra long subsequent to the Trojan war, according to Athenæus, in which gymnasts play with a ball while they dance (viii. 377 *seq.*).

The games in the Iliad are of the most primitive kind, consisting of wrestling, running, boxing, chariot-racing, throwing the discus, and hurling the lance; and on one occasion (xxiii. 88), playing with hucklebones — *ἀστράγαλοι* — a game like dice, which, Herodotus informs us, was known to the Lydians in the reign of Atys long before the Trojan war. In the Odyssey, we come

across pastimes a little more refined, and so a little more modern, as where the suitors of Penelope play a game with oval stones which resembled somewhat our draughts, or might have been the rude precursor of our chess (i. 107).

Other customs mentioned in the Odyssey are not referred to in the Iliad; in every instance they indicate an advance in refinement, and consequently a lapse in ages. It is no exaggeration, but the plain unvarnished truth, to say that we could go on filling page after page with instances of habitual practices and usages in the Odyssey essentially differing from corresponding practices and usages in the Iliad; what is more remarkably striking, they point in every case to a period not quite so primitive as when the Iliad was written; yet the incidents in the two poems take place in the same age of the world; yet the actors in both belong to the same race; and yet some of them are the same persons. What are we then to think? That the author of the Odyssey did not know or did not approve what was done by Homer? It would be folly to think that; but that he did not wish to do as Homer. Beyond an imitation which consisted in transcribing phrases, and sometimes whole verses, as, in after times, Apollonius transcribed from Eumelus and the Latin poets from Ennius, the author of the Odyssey, in all other important points, wanted to do things in his own way, as he did, and to be of his own age, as he was. It would be monstrous to suppose that when he makes women grinding corn he did not know that Homer lived before the invention of mills, and that when he speaks of *κριθή*, or *κρῖ*, being used in sacrifices, he was not aware that barley was not so used in Homer's day. It would be equally monstrous to suppose that when he writes:—

μνηστῆρσι δὲ Παλλὰς Ἀθήνη
ἄσβεστον ΓΕΛΟΝ ὦρσε,

he did not know that Homer always writes only γέλΩΣ, never in any other case or in any other dialect; and that Homer uses *ἔρως*, and its Æolic form *ἔρος*, only in the nominative and accusative, while in the eighteenth book of his poem he writes it in the dative, as Sophocles in his 'Electra,' and Euripides in a few of his plays:—

ἘΡΩι δ' ἄρα θυμὸν ἔθελχθεν.

It would be as preposterous to think that Quintus Smyrnæus did not know that Homer never introduces men fighting on horseback; and yet he introduces them thrice in battle, and once in funeral games, when anyone would have thought that in that respect, at least, he would have taken Homer as an infallible guide; or that he did not know that in Homer, ambrosia is the 'food' of the gods, yet he speaks of the nymphs 'drinking' ambrosia in golden cups. Tryphiodorus, again, makes Priam and the elders drawn by mules when they go on a visit to the Grecian camp. But in Homer mules are fastened only to vehicles that carry loads. That Tryphiodorus did not know this it would be extremely difficult to believe, since, writing of Priam going out of Troy in a vehicle, he could not have failed to remember an exactly parallel passage in the last book of the Iliad, where horses draw Priam and mules are harnessed to the cart that is laden with the presents. Now just as Quintus Smyrnæus and Tryphiodorus expressed the customs of a later age, that in which they lived, so the author of the Odyssey expressed the customs of a later, that is, of his own age.

When the Alexandrine poets—of whom, though we are not at all inclined to consider the author of the Odyssey to have been of the number, for that would be altogether inadmissible, yet we contend that his and their mode of composition had one common resemblance—set about the writing of their poems, they did not—as Lehrs informs us, and from whom we borrow these remarks—take up fables, or manners, and customs, or turns of phraseology, or even the idioms of the Greek language where Homer left them. They planted their foot on the same ground as the great poet himself; they took up incidents and persons that happened and figured in the world at about the period of the Trojan war; but they did not watch and copy Homer as closely and servilely as though they had no other precedents to follow.

As ages rolled on, Greek poetry gradually progressed, now for a time consisting in imitation as close as in the Odyssey, and now in imitation as loose as in the Halieutics; then, partly from a change of taste in the audiences, partly from an altered state of literature, partly from a bold and inventive genius springing up, it assumed fresh colours. For all that, the author of the Odyssey and the Alexandrine poets went on reproducing the colours with which Homer had provided them. Of these they wished to be not only imitators but amplifiers and innovators. Unless it had been so, we should not have the history of Greek epic poetry with its ages so distinctly marked, and its limits so clearly defined. They did not want to be faithful chroniclers and historiographers, but poets. For the purposes of imitation Homer was always before their eyes. It may have been because he came the readiest to their memory; it may have been because he caught the popular taste; hence the secret

of Homer permeating, as it were, the whole range of Greek poetry. The reproduction of his style was aimed at by each succeeding poet; they gathered up the little fragments of his epithets and phrases, fondly fancying that the result of their intellectual and imaginative faculties would be a product strongly suggestive of the Homeric mind and equally captivating to public audiences, just as in these modern times, for a very long while after the reigns of Elizabeth and James, all the writers of plays, who were desirous of successfully catering for the public in providing dramatic entertainment, picked up their crumbs from the banquet-table of Shakspeare.

Art. IV.—*St. Paul and Protestantism; with an Introduction on Puritanism and the Church of England.* By Matthew Arnold, M.A., D.C.L., formerly Professor of Poetry in the University of Oxford, and Fellow of Oriel College. London: 1870.

Mr. Arnold has done good service by this analysis of the nature and causes of religious separation, and the picture he presents in contrast with it of pure unsectarian Christianity. Not that either the one or the other was likely to be accepted as just or true by his Nonconformist readers. That, indeed, was hardly to be expected, even had he abstained from irritating language, which to one of his fine humour and keen sense of the grotesque was peculiarly difficult. But sincere and earnest men do not lightly part with cherished convictions; and besides, we cannot deny that much of his criticism is hardly fair, and much of his own positive system obviously inadequate. Still no slight impression is often made by remarks which are very indignantly resented; and so we think it is in this case. The echoes which Mr. Arnold's somewhat irreverent footsteps have awakened will not soon die away from the precincts he has invaded. Nor is it altogether a misnomer to call them echoes. For the excuses which have been poured forth so volubly from the Dissenting press have something in them, after all, of the self-accusation which excuses proverbially imply. And, certainly, there has been no lack of these since the publication of Mr. Arnold's book. Newspapers, journals, magazines, reviews, pamphlets, speeches, have been full of replies to it, ranging from gentle remonstrances and deprecatory apologies to the fiercest and most unsparing retorts. But 'the clearing of themselves,' with which our Nonconformist friends have been so largely occupied, 'the indignation, the fear, the vehement desire, yea, the revenge,' cannot but have a reactionary effect for good; leading them to abandon as well as to disclaim much of the narrowness which provokes such adverse criticism, and preparing the way for that deeper and truer union of the future which we do not despair of seeing ultimately effected.

It cannot be said that Mr. Arnold has come off unscathed from the encounters he had provoked. In many of the arguments and counter-statements of his antagonists we cordially concur. We are glad above all to accept the account which they offer of themselves, and on the other hand we cannot but allow how insufficiently Mr. Arnold has set forth the essence of Christian doctrine. But in all this we do not doubt that he is pretty nearly of the same mind with us; and, assuredly, we feel that we are in substantial agreement with him rather than with the best and most successful of his opponents. For his object is to open the way for all to the unity of a broader and more comprehensive Church than has ever yet been formed; theirs to defend existing divisions, and to relegate union to a future indefinitely remote, while refusing to employ for that purpose the means which the present has inherited from the past.

In the polemical portion of Mr. Arnold's book his argument is this—that the denominational bodies, placing their centre of coherence and resting their whole principle of action in some strongly defined dogmatic system, are proceeding on assumptions essentially wrong and mischievous. They are building on a basis which deliberately confines Christianity to a mere section of the ground it is designed to cover. As all human estimates of theoretical truth are necessarily defective and continually needing reconsideration, the growth of thought and knowledge must perforce undermine the foundations of such religious bodies; and their very existence, having at best but a temporary use, is one whose termination is to be desired and accelerated.

He was led to this course of argument by the observation of M. Renan, in his recent work on St. Paul, that the reign of that Apostle is manifestly drawing to a close, together with the Protestantism which is bound up with it. Mr. Arnold, on the contrary, maintains that the moral reign of the great Apostle is really only just begun, and 'that his fundamental ideas, disengaged from the elaborate misconceptions with which Protestantism has overlaid them, will

have an influence in the future greater than any which they have yet had' (p. 66). M. Renan's mistake arises from his regarding sectarian bodies, and those especially of the Calvinists, as the real exponents of Protestant and Pauline doctrines, and from the wrong estimate which he has thus formed of St. Paul himself seen through the medium of his followers. A juster appreciation of the Pauline Epistles, and a truer perception of their main purpose, will lead, and is leading us even now, to far different conclusions —conclusions which will help to emancipate the Christian Church from the narrowness, hardness, and exclusiveness which cramp our religious systems.

In all this we are entirely in agreement with Mr. Arnold; and if in many points of detail we find ourselves at issue with him, we claim none the less to be fellow-workers in the same cause; feeling as he does that our own opinions are but tentative efforts to arrive at truth—efforts in support of which we welcome every corrective aid, even if it come in the shape of refutation.

Our author with some reason divides the Protestant sects of England into the two classes of Calvinist and Lutheran. To whatever extent this classification must be modified, there can be little doubt of the truth of his statement that both of these are beginning now to shrink from the unmitigated assertion of the notions from which they started—the Calvinist from the notion of predestination, which puts an insuperable barrier of God's own decree between man and man, excluding whole masses of the human race from the mercies of their Creator and from the brotherhood of their fellows—the Lutheran (with its offshoots of Arminian and Wesleyan) from the notion of solifidianism, which establishes a barrier equally exclusive though not so impervious, and rests the sympathy of Christians not in their moral aims and common allegiance, but in persuasions and impressions which depend on individual temperament or accidental conjunctures. From both of these views the better and nobler minds which have grown up in the communion of the several denominations are now manifestly shrinking, and show an evident desire to give a new turn to their distinctive tenets, and to substitute for them something less narrow and less offensive.

But if there be a tendency to abandon these tenets, ought there not to be a readiness to abandon the separate organisations also which zeal for those tenets has created? Such would assuredly be the effect of real consistency in the separatists. But of such a result there seems little hope at present. The strength of habit, the influence of sects, the exigencies of an existing position, all strongly tend the other way. Separation will be maintained; and for the purpose of justifying it, fresh ground must be taken. What, then, will that ground be? Mr. Arnold expresses his apprehension (and we fear with only too much reason) that it will be more and more (what it is already so largely) the ground of political dissent—opposition to a National Church, on the plea that it is an institution unwarranted by Scripture—opposition enhanced by jealousy of the privileges conceded to the Church, and manifesting itself in unceasing efforts to assail and destroy it.

Such is the tendency which even now is too apparent in all denominations of Nonconformists, including those who at one time showed little inclination to the anti-State-Church theory. Few men have had such opportunities as Mr. Arnold of observing the temper and tendency of the Dissenting bodies. For many years he has been brought, as school inspector, into contact with the more active members, both lay and clerical, of the different denominations. Going among them with no hereditary prejudice certainly, and with no predilections of his own for the exclusive pretensions of the Established Church, he is a witness, as impartial as he is competent, of the spirit which pervades their policy, a spirit which we may be sure has never been exhibited before him in an exaggerated form. A Churchman himself, and an official of the State, he has also many personal qualities which ensure that the better side of Nonconformist principles would generally be presented to him. We fear, therefore, that we must conclude from the tone of his remonstrances how largely and increasingly this violent political feeling prevails among Dissenters. To this feeling he addresses himself through a large part of his book, especially the section called 'Puritanism and the Church of England,' earnestly expostulating on the change of position, no less than the unreasonableness of the position itself; while in the latter half of the volume he reasons more elaborately, and with a seriousness rarely interrupted by the light raillery of which he is so consummate a master, on the difference between St. Paul's doctrines and those of the systems which are ostensibly based on it. We purpose now to cast a glance on both of these departments of controversy, not so much accompanying Mr. Arnold (whose work, indeed, we hope that all our readers know already, or will make acquaintance with) as following on the same side, and dealing especially with those points

on which his antagonists have demurred to his principles or his conclusions.

I. And, first, with regard to the characteristic differences between Puritanism and the Church of England—or, more correctly speaking, between it and a National Church.

Mr. Arnold, we have seen, lays it down as an unquestionable fact that Puritanism and the Puritan sects originated in the express purpose of proclaiming and maintaining certain doctrines supposed to be insufficiently held or insufficiently inculcated by the Church, though constituting in their view the sum and substance of the Gospel. This he asserts to be the very essence of Puritanism. And now that these doctrines begin to look dubious, even in the eyes of their former advocates, so that Dissent can no longer ground itself on Puritanism proper, he charges Nonconformists with the very questionable conduct of shifting the foundation on which they build, and resting their case on grounds which the originators of the sects never so much as thought of—the alleged incompatibility, that is, of a pure religious polity with any sort of National Establishment. But the truth of this charge is vehemently denied by some of his critics, and notably by one of the very ablest of them—the well-known Independent minister, Mr. Dale of Birmingham.* Mr. Dale refuses to admit that the maintenance of any particular doctrine or body of doctrines is the essence of Puritanism; while he affirms that the principle on which the system is founded necessarily involves (though this consequence may not have been observed at first) the further conclusion which Mr. Arnold now stigmatises as new. According to him, the essence of Puritanism resides in the conviction it entertains of the supernatural and intensely personal character of the spiritual life, and in the claim it advances accordingly on behalf of those who share that life to combine, like with like, apart from the uncongenial world, for the better development and exercise of the gift which is communicated to them. This, and not devotion to any distinctive doctrine, is the origin of the Puritan movement; this mutual attraction of enlightened hearts, this obedience to a divine impulse constraining them to unite in sacred fellowship. And such being the case, it is an inevitable consequence of the movement to disclaim the intervention of any secular power in Church combinations, to repudiate all arrangements made for secular purposes and in accordance with secular ideas.

We think that Mr. Dale has here taken up a consistent position, overturning in a great degree the very basis of Mr. Arnold's argument; though at the same time it is clear that the latter has a special eye to the assumption thus made by Puritanism of a right to discern and divide, to include and shut out, when he protests against the sectarian systems as narrowing the doctrines of Christianity. However, we desire to regard the matter more directly as Mr. Dale has put it; and taking the system according as he exhibits it, to contrast it with the theory and practice of National Churches.

When he claims in the name of Puritanism this right on the part of those who are sensible of the Christian impulse to form themselves into a separate body, or rather into a number of separate bodies, for the cultivation of religious affections, the development of religious character, and the perfecting Christian life, Mr. Dale could unquestionable quote many directions and exhortations from Scripture which have a plain and clear bearing on the practice. But is he not forgetting, does not Puritanism forget, the wide difference between the circumstances under which that language was held, and those under which we are placed now by the will and order of Providence? Does not Puritanism forget too the inability of human judgment to make the distinctions upon which it ventures to act? Lastly, does it not forget many passages of Scripture itself, equally explicit with those to which it points, and still more essential to remember because they are prospective in their application?

We pause to touch briefly on particulars. This is a time when the profession of Christianity is (broadly speaking) universal; when the spirit of Christianity has not only pervaded our laws, shaped our institutions, and leavened the whole mass of society, but has won the acceptance (so they say) of everyone, and receives the homage of all. Are we to set aside therefore this providential order as worthless and void? For when the word 'Christian' is pressed in a distinctive sense, when we look about to settle whom we are to account as Christians, whom reject, it is necessary to find some other test, some other standard, than that which Providence has given us; we must either exercise some judgment of our own, or address such a challenge to questionable individuals as shall induce them to place themselves on one side or other of the line which we see fit to draw.

Now this is the very course which Christ himself has warned us against taking—has actually forbidden us to take. Not to speak of incidental occurrences noted in the Gospel, what but this is the moral of the parable of the tares, and that of the net with fishes?

* Contemporary Review, July, 1870.

parables, be it remembered, which point more particularly to a condition of the Church still future when they were spoken, and which are surely essential to bear in mind when applying directions of the Apostles issued under circumstances totally dissimilar to our own.

But what does Puritanism do? It attempts to weed out the tares from the wheat, to cast away the bad fishes from its net, or at least to transplant the good wheat, and sort out the good fish, so that they shall not be defiled by contact with the unworthy. And the result is what might be expected; that not only is much of the good wheat (and that often the very best) excluded from the privileged enclosure, and many of the tares (some possibly of the worst) brought in, but that the wheat which is included is manifestly dwarfed and exposed to a peculiar blight, and the tares which have been admitted developed into a new and peculiar rankness.

We appeal at once to common sense and to experience whether these things do not and must not happen. The tests which Puritanism employs for the regulation of membership are such that the more humble-minded and the more strong-minded are alike repelled by them. Not in all cases, we allow; doubtless care and delicacy can often abate the evil. But there is something singularly formidable to the modest and scrupulous, singularly repulsive to the independent and high-souled, in the pretension to question and examine them on spiritual matters; or in the demand that they should make such professions, and adduce such evidence about themselves, as shall satisfy the inquisitorial authorities of the religious body which is to receive them. It is this which is the inherent vice of Puritanism—the use not of a moral test merely, nor of such a test combined with the acceptance of a creed, but of one which is definitely spiritual in the constitution of its societies. Who has not seen the deterrent effects of such a system upon the youthful and ingenuous on the one hand, upon the freer and more manly spirits on the other—effects which perpetually keep hereditary Dissenters from full communion with those among whom their lot is cast, or even drive them to seek refuge in the more genial atmosphere of the historic churches? and who cannot see the mischievous tendencies of the same system in the case of those who remain within the exclusive precincts—tendencies to narrowness, censoriousness, fanaticism, in those who are sincere and upright, and to far worse in those who (in Puritan as in all other churches) are inwardly untrue to their profession?

And now contrast the practice of historic churches—by which term we understand churches which have not been self-constituted under some special influence or for some special purpose, but which descend directly from the original stock, either in unbroken order, or with such a breach merely as public authority has sanctioned. With these the right of membership is freely conceded to all who by the natural order of things have a place within their pale. Doubtless many inconsistencies, many evils even, result from this concession: still they are evils which depend on the mixed character of all earthly things; and inconsistencies which are not referable to the choice or agency of men, but to a law of Providence predicted and forecalculated accordingly. The counsel to 'let both grow together till the harvest,' is the warrant for patient submission to much which is undeniably hurtful and unseemly. But while this counsel does not preclude the exercise of discipline in cases of moral delinquency, it secures by forbidding intrusion into the domain of conscience, that the Christian character, in all its stages and all its varieties, shall have time and leave to grow, and that thus a larger and more spontaneous development shall be evolved under the favouring influences of social advance, and healthy intellectual progress.

We have used Mr. Arnold's term 'historic churches,' which we think a very felicitous one, hardly needing, perhaps, the definition of it which we have ventured to offer. The functions which we have here claimed for such churches eminently belong to those which are also National—those, namely, which are entwined with the institutions of a country, in which the ecclesiastical order and modes of worship have been developed according to the distinctive genius of the people, and which are publicly recognised by the Government as the normal and authorised phase of religious organisation. Historic churches are not, of course, all National; but it is the natural and almost necessary result of the acceptance of Christianity by a people that its church should assume a national character. It is to us almost incomprehensible how thoughtful and reasonable men (as so many of the Nonconformists are) should see an anomaly and almost a contradiction in terms between the words Church and National; that they should regard the combination as a thing not only unknown to Scripture, but actually incompatible with the very spirit of Christianity. Unknown to Scripture it is of course, by the very nature of the case, at least to the New Testament. But, waiving altogether the lessons of the Old Testament (which in this case we are far from thinking we ought

to do), we would simply ask this question:—supposing St. Paul's visit to Rome to have resulted in the conversion of Cæsar and the Senate, followed by a general recognition of Christianity through the Empire, or at least by a general desire for instruction in the doctrines of the new religion, what would have been the consequence? Would it not have been—must it not have been—a national movement, sanctioned, superintended, guided by the central power at Rome? It is conceivable, indeed (as our modern Dissenters seem to conclude), that St. Paul would have sternly forbidden Cæsar to be a nursing father to the Church. It is conceivable that he might have protested against any decree, any resolution of the Senate, in answer to the prayer of Italy and the provinces; that he would have viewed with alarm the extension of official facilities, the application of territorial arrangements to the further extension of the Gospel; that he would have regarded with horror the utilisation of the civil and municipal boundaries for the better superintendence, intercommunion, and growth of the scattered evangelical Churches. It is conceivable, perhaps, that whereas up to that time he had ascribed something of divine authority and sanctity to the powers that be (even when they were heathen), he would have changed his tone as soon as they became Christian, and denounced as unhallowed so profane an instrument as the secular authority. It is conceivable (we say) that all this might have been so; since under circumstances which were never realised we cannot pretend to say for certain what the Apostle's conduct might have been. But this we confidently affirm, that no words of his intimate that such would have been his decision; and of this, too, we are quite sure, that Cæsar and the Senate, unless expressly forbidden, would have been forward to employ the means at their disposal for an object desired by their subjects (for such is the hypothesis), and apparently commanded by God; that so far from feeling themselves bound to withhold assistance from the applicants, they would have regarded the claim advanced as one of irresistible force; that they would have interpreted (and reasonably interpreted) the precepts they had already received from Paul himself as justifying, nay compelling, the consecration of their high office to the welfare of the people, never suspecting that the one exception to that duty was in the highest department of all. Thus an ecclesiastical organisation would have sprung up even then, in connexion with, and under the protection of the State. Nor could it well have happened otherwise but that sooner or later out of such a state of things would have arisen also the accessories which in due time actually followed a legal status for the clergy, church endowments (at least from private sources), with many others of those characteristics of an Established Church which are now so strongly denounced as absolutely contrary to the spirit of Christianity.

We do not deny for a moment the magnitude of the difficulties which encompassed the position and government of the Church, when once this recognition was effected on the part of the community and of the State. The change was doubtless a momentous one, involving great dangers to purity of doctrine and simplicity of character. But the change was none the less inevitable. To all who are perplexed with the practical difficulties thence arising, it would be a great relief undeniably, if they had an Apostle's judgment to refer to in the matter. But this has not been granted us. We are left, as best we may, to apply to altered circumstances those eternal principles which can never be obsolete or out of place. And surely it is not too much to say, that, as there is a Wisdom above that of Apostles, the Wisdom which orders the course of events, it cannot be the best way of obtaining the guidance of that Wisdom to ignore the facts which Providence has established, and to confine ourselves obstinately to the narrow horizon which bounded the experience of apostolic times.

If we leave it to others to point out the worldliness, the corruptions, the arbitrary and persecuting spirit which have too often marked the history of National Churches, and of the English Church among them, it is not because we do not confess and deplore the truth of the charges adduced. We think that in their survey of the past relations between Dissenters and the Establishment, Mr. Arnold's critics have got the better of him. He would persuade us that throughout the conflict of parties there has been shown on the whole a large, free, and lofty spirit on the side of the Church, in marked contrast with the narrowness of the dissidents. But we cannot so read history. It is true doubtless that at any given period, had the position of the two parties been reversed, the oppressed party would probably have shown themselves the more intolerant oppressors. But assuredly a reasonable and generous spirit of concession at the Hampton Court or the Savoy Conferences would have won over the mass of malcontents, whose more violent demands were only drawn out by the crafty policy of uncompromising opponents. Room might easily have been made for them in the National

communion; and the guilt of the disruption which eventually ensued lies chiefly at the door of those who refused to concede it.

We are far therefore from pressing a charge of schism against the existing sects of Nonconformists; and greatly as we deplore their existence, we readily and even gladly confess that they have done much, and may do much yet, to correct the evils of the National Church. They warn it of its perils, they expose its abuses, they indicate the reforms it needs, they show how its boundaries may safely be enlarged, they pioneer its advance, they teach in many respects a more excellent method of attaining its sacred ends. But ought it not to follow that, just in proportion as these facts are recognised amongst us, and a sincere endeavour is manifested to amend the faults and repair the wrongs of former generations, so progress should be made not only towards a kindlier feeling between the Church and its several offshoots, but towards reunion also—reunion on broad grounds in one consolidated community? Division in itself is palpably an evil thing, abhorrent to the Christian sense. And none can doubt how much of the influence of Christianity on the world is lost in consequence. The waste of power expended in separate machinery is only exceeded by the discredit cast on religion itself by the rivalry and jealousies of its professors. And while, on the one hand, the Church suffers incalculably by the withdrawal from her service of so large a portion of the piety and energy of the nation, we are convinced that the sects suffer still more from the narrow limits to which they severally condemn themselves, the undiversified elements out of which they are recruited, and, above all, the unworthy expedients to which they are commonly driven for the means of maintaining their existence.

These evils are and cannot but be acknowledged by the nobler and more thoughtful minds among Nonconformists. They too, like Churchmen, are very generally manifesting the desire for a closer union between Christian bodies as well as individual Christians. But we fear that this desire is not leading them in the direction which we have indicated. The theory which with them finds most acceptance is this—that if the privileges belonging now to the State Church were abrogated, and all denominations placed on a footing of perfect equality, the sense of Christian brotherhood, and the recognition of truths held by all in common, would work upon all with a new and unifying force, forbidding everywhere the arrogant assumption of superior enlightenment, while each denomination would pursue with advantage its own chosen line of thought, and employ with greater freedom its own special machinery.

We have little to say against such expectations, in cases where nothing better is to be looked for, as for instance in the United States perhaps, and even in the British colonies; though there also we are unwilling to think that a better consummation is altogether impossible eventually, or a higher theory excluded even now from the views of thoughtful and high-minded men. And indeed is not the wish and hope for such a consummation the moving cause of that great gathering of representatives from all Protestant denominations, which, but for the war which has been convulsing Europe, was to have taken place last summer in America itself? Is nothing better contemplated by the promoters of that scheme than that each denomination should remain, as now, separate from every other, wrapped up in its own exclusive organisation, complacently regarding itself as the best (if not the sole) embodiment of the Christian idea, receiving nothing from other bodies and imparting nothing to them in return? each little community floating like distinct globules of oil in an uncongenial and unassimilative medium, each confining its recognition of the others to courteous expressions of respect or occasional manifestations of alliance? Does no higher vision of the unity of the future present itself to the minds of the delegates who assemble to greet one another from the four corners of the earth? Does no vision arise of a time when difference in discipline, in modes of worship, and even in speculative doctrines, shall not only be tolerated in separate communities, but borne with, and even welcomed, within the limits of the same community—welcomed, because thus alone can the various requirements of individual temperament and social culture be provided for without breach of unity—welcomed, too, because all shall have learned that it is not always best for themselves to have their own prepossessions gratified, and flattered, and exaggerated? Would not such a fusion of what are now separate and rival denominations be far preferable to their present state of armed truce? And to go one step further, would it not be a still happier consummation if the alien medium in which these discordant bodies now find themselves floating should prove to be no longer alien and repulsive? if (to drop figurative language) the national community itself in each Christian state, confirming this freedom of the religious societies it contains, and being practically coextensive with the aggregate of them, were to extend over

all its impartial and reconciling influence, thus realising in a more excellent way than is commonly intended the favourite theory of a Free Church in a Free State?

The realisation of this ideal is perhaps impossible, so long as men love to persuade themselves that their own way is God's way also. Certainly it is indefinitely remote. But that is no reason why we should not try to approximate to it; or, having effected some approximation, should not persevere in carrying it further by the use of the same means. And have we not already in this island a pledge at once, and an opening for such a consummation? We have two established Churches subsisting side by side, that of England and that of Scotland, each alike acknowledged by the State, each embracing very different schools of thought and doctrine and ceremonial practice; and we have denominational churches besides, not only tolerated by the State, but legalised, protected, and all but established. What if it be possible, in the case of the Church of England at least (for it is with this that we are now concerned), so to enlarge the terms of her communion—so to include, or at least make room for, the varied machinery which other denominations guided by experience have constructed—so to respect and admit varieties of religious sentiment and honest Christian belief—as to bring about a nearer and nearer approximation to the happy ideal which we have indicated? There are often many routes to the same end; and an old country has ways and means open to it, which a new one is precluded from adopting. Why should we forfeit the advantages we inherit from the past, when those advantages can be made to promote the bright possibilities of the future? How unreasonable to demand the sacrifice of progress already made—of advanced posts already occupied—in order that a dead level may be secured from which to start afresh! And what a sacrifice is asked by those who would overturn the Church of England! The destruction of institutions which pervade every corner of the land and every class of society, knitting them together with ties of long-proved power—the dissolution of agencies which carry civilisation and beneficence and humanising influences into myriads of families, else neglected and degraded—the abandonment to decay and desolation of thousands of sanctuaries and pastoral homes, which are now centres of light and religion and charity—the forfeiture or waste or secularisation of revenues, 'saved' (as Dr. Arnold said) 'out of the scramble' of selfishness for the highest and most sacred purposes. Such is the first act of the proposed Liberationists drama! And for what? Even these sacrifices might not be too great if they would ensure or materially promote the desired end. But would they do so? and how? They would but create the chaos out of which the divine order was at last to spring, contributing nothing towards evolving that order, except by the abatement of jealousies which complainants are pleased to feel, and the removal of an inequality which juster measures would better rectify.

We have dwelt so fully in a former article* on the singular advantages possessed by a National Church, for freedom of opinion, for manly independence of thought, and for the necessary adjustment of religious dogma to the progress of human knowledge, that we will not enter upon that ground again. But we cannot but point out how largely the convictions which we then expressed have been confirmed by recent experience. We are encouraged more than ever to look to the Church of England for the maintenance of the harmony between reason and faith, and also for a centre round which the promoters of Christian union may rally.

And here we must notice first the recent decisions of the High Court of Appeal, the Judicial Committee of the Privy Council. It is loudly complained in some quarters that these decisions abridge the liberties of clergymen and will narrow the communion of the Church. We confess that we neither join in such complaints, nor share such apprehensions; ready though we are for the most part to deprecate ecclesiastical prosecutions. The cases in question were emphatically such as needed a firm and authoritative settlement. And the judgments just pronounced are the more seasonable, because the impression was gaining ground, and daily finding louder utterance, that, owing either to the vagueness of the Rubrics and formularies, or to the paradoxical subtleties of the legal mind, it was becoming impossible to restrain vagaries of ritual however fantastic, or violations of doctrine however audacious. The recent judgments in the cases of Mr. Purchas and Mr. Voysey will dispel this impression. They have amply vindicated the sufficiency of the law, and of the Courts which administer it, to enforce obedience to the rules, and respect for the doctrines of the Church. If greater liberty be thought desirable in either department, such liberty must be sought by legislative measures. Meanwhile, it is essential that the tribunals should show themselves competent to discharge their proper

* Edin. Rev. No. cclxi., 'The National Church.'

functions of determining and upholding the existing law. After all, we cannot see that in either case any abridgement has been suffered of equitable liberty; unless it be as respects the position of the officiating minister during the consecration prayer at the Communion. Trifling as this point seems, it is one nevertheless which will evidently cause much pain, and much difficulty to many excellent men: and we wish it could have been left as a matter of discretion; though, as the Court was called upon to pronounce on it, a decision one way or other became a necessity. In the employment of the obsolete vestments, and again in the use of wafers and of mixed wine, the licence of practice claimed by the Ritualists was by virtue obviously of mere inadvertencies in the framing of the Rubrics, and of a consequent ambiguity of language, which has now been carefully and impartially cleared up by an exhaustive consideration of the declared intentions and undoubted practice of those from whom it emanated. It was very undesirable that evasive ingenuity should succeed in baffling the evident purpose of Statute law and of ecclesiastical injunctions. And in the condemnation of the Ritualistic innovations which has now been finally pronounced, common sense has long ago come to the same conclusions as the Court, and rejoices to find those conclusions confirmed by the strict rules of legal exposition.

Mr. Voysey's case, though exciting less attention, is intrinsically a far more important one. And here too we defend the justice of a sentence which also we cannot regret. His is by no means a parallel case to that of the authors of 'Essays and Reviews,' or even of Bishop Colenso; forward as he has been to place himself deliberately in avowed antagonism to the teaching of the Church, and this too in his ministerial capacity, while uttering even before the simple and unlearned remarks which must be subversive of their faith in the Bible. If such conduct could escape with impunity, what (it may well be asked) can be held to constitute contravention of the Articles and Creeds, or depravation of Scripture and its doctrines? At the same time we observe with the greatest satisfaction how carefully the Judgment has endeavoured to preserve the just liberty accorded to clergymen in previous decisions of the Court—laying down afresh the principle that a large latitude of construction must be allowed in the exposition and application of the formularies; and implying moreover that an erroneous interpretation of them, however mistaken, is still (if honest) neither necessarily penal, nor even in all cases inadmissible; while the rights of serious critical inquiry, freely examining the Scriptures, and discussing the relative authority of their constitutent portions, will not be disregarded in the trial of clergymen arraigned for heterodox opinions.

Where the functions of the tribunal end, there those of the Legislature begin. It is precisely because the Church of England advances no pretensions to infallibility and unchangeableness (we do not speak of the extravagant claims of individuals or of particular schools within it), but on the contrary shows itself open to correction and improvement, that we regard it with such hopefulness; because, true to the idea of existing for the sake of the spiritual and moral elevation of the community, it does not refuse to confess its shortcomings, to amend its arrangements, and even to modify its tenets, according as experience brings wider wisdom, or as it gains a better comprehension of those inspired documents to which it consistently appeals as the ultimate rule of faith.

Such a spirit has been largely manifested in the Church of late. It has been shown very strikingly in the proceedings of the Royal Commissions. These Commissions have been selected with singular and exemplary impartiality; a fact which of itself speaks eloquently for the merits of that system of State superintendence which Nonconformists and ultra High Churchmen concur in denouncing as Erastian. Constructed out of such diverse materials, little was expected from them by many but endless and hopeless dissension. Yet what has been the result? With respect to the terms of Clerical Subscription a wise and healing measure, unanimously recommended and adopted with universal approbation. And if in the proceedings of the latest Commission we have not yet witnessed such satisfactory results, still these have been far from fruitless. Of two of the Reports, presented with scarcely a dissentient voice, we have in the one a most useful and welcome revisal of the Lectionary; while the other (the earliest of all) contained the first suggestion, crude, it may have been, but likely to prove a pregnant and most important one, of the future government of parishes on Congregational principles. The final Report, disappointing as we confess it is, chiefly on account of the unfortunate illness of the Primate, we cannot now stay to criticise. The refusal of the Commissioners to touch the 'Ornaments Rubric' during the impending lawsuits was reasonable in itself, and has been justified by the event. But we regret that they have lost the opportunity of removing several

causes of offence from the Prayer-Book, and thereby of obviating such sweeping measures as Mr. Morgan's Burials Bill. It can be no matter of surprise that Government should decline to propose to the Legislature the adoption of those minor amendments in the Rubric which are recommended, when discussions of so much larger moment must necessarily be thereby provoked, especially on the question of the Athanasian Creed—a point upon which the majority of the Commissioners appear to be so strangely at variance with their own Report.* Still we cannot regard the result of the Commission even in these respects as an abortive one. Subjects of the greatest importance have been mooted, substantial reforms have received an amount of support from the highest ecclesiastical authorities, which makes their speedy adoption a matter almost of certainty; the changes unanimously recommended are all on the side of liberal concession and increased elasticity of action; while again we call attention to the encouraging fact that the supremacy of the Crown in matters ecclesiastical (the keystone as it is of the alliance between Church and State) has proved in this instance, as before, a source of healing and harmonising influence among conflicting parties—a mediatory agency such as in other religious bodies is lacking, whether in the so-called Free Churches, or in the Church of Rome itself—bringing to bear on disputed points, through the co-operation of divines and statesmen, that cool and impartial judgment, that mutual forbearance and toleration, that waiving of minor differences in view of one supreme object, which is rarely to be found in a body of delegates on the one hand, or on the other in a privileged clerical class.

In another and unexpected quarter, again, it is most welcome to find a growing spirit of liberality and expansiveness. No one can have read the debates in Convocation during the last year or two, without seeing that the clergy of the English Church have begun to desire and to look for a wider and more comprehensive system. Changes in the discipline and ministrations of the Church, and even in the Prayer-Book itself, are proposed and advocated, sometimes with general approval, rarely with anything like general reprobation—changes which, if affected, would disarm the enmity of many opponents, and infuse new efficiency into parts of the system distasteful now or unintelligible to the masses. Nonconformists are spoken of with respect, and with the evident wish to conciliate and attract them; plans are proposed for their recovery; nay, in the Convocation of York an authoritative attempt has been made to open a way to re union with one of the denominations. Finally, we hail with peculiar hopefulness the movement which was initiated last year by the Convocation of the Southern Province to amend our English Bible. We should have spoken of this a few months ago, however, with far greater satisfaction, not only for the boon it promised to confer upon all English-speaking Christians, but still more because it was accompanied by so generous an appeal to other Christian bodies to lend the aid of their scholarship and their sympathy to a work which all are concerned alike to effect as well as possible. Even under a Royal Commission we could hardly have expected to witness such a spectacle. Still more gratifying was it, therefore, to see it realised under the auspices of Convocation itself—to see Baptists, and Wesleyans, and Independents, and even Unitarians collected together under the presidency of Anglican bishops, and engaged harmoniously in a work which, while it encourages mutual esteem, cannot fail to draw forth, as no other equally could, the love of truth, the spirit of impartiality, and the sense of fundamental union. But it is not without misgivings that we dwell on the subject now, remembering the outburst of alarm and intolerance which has almost carried both Houses of Convocation into a reversal of their original measures. Nothing in our opinion could have been more becoming or more laudable than the initiatory proceeding which provoked that outburst; when prelates and dignitaries of the Established Church joined in the most sacred act of Christian worship with their Nonconformist colleagues, nonconformist no longer for that great occasion. The venerable Abbey of Westminster has, in our judgment, witnessed no nobler spectacle, nor one more replete with hopeful omens for the future. There were difficulties, doubtless, doctrinal as well as technical, which could not but be felt on both sides; and more especially in the particular instance which has been singled out for reprobation. But assuredly this was a case where the law of charity recommended forgetfulness of minor difficulties on either side; and we re-

* See, in explanation of this apparent contradiction, the Preface to Dean Stanley's little treatise, just published, on the Athanasian Creed—an able and most forcible exposition of the nature, origin, and significance of that famous formulary; showing the embarrassments which beset its use, the contradictions in which its advocates are necessarily involved, and the certainty that its employment in the public worship of the Church of England will before long be abandoned, as it has been by all the other Christian Churches.

joiced to observe that the act, while tacitly confirmed even by the Lower House of Convocation, was expressly justified afterwards by the mild wisdom and large-hearted tolerance of the Archbishop of Canterbury. That the alarmed susceptibilities of intemperate enthusiasts should nevertheless have frightened the Bishops into a course so unworthy of them, is much to be lamented. Happily, the courage and moral energy of a few determined remonstrants, headed by Bishop Thirlwall and Dean Stanley, have saved, though barely saved, Convocation from a practical conclusion as disastrous as it was inconsistent.

Looking more widely over the country at large, we see in many quarters additional signs of the hopefulness for the future of the Church. The charges of bishops and archdeacons, the resolutions and utterances of church congresses and conferences, all show more or less the same spirit of expansiveness, the same increasing willingness to tolerate, to modify, and to enlarge. Doubtless there is much also of an opposite nature—lofty pretensions which are fatal to comprehension, unsparing denunciations of measures which seem to us essential. But it is something—it is much—amidst all which we are forced to deplore, that there is so general an emancipation from the dread of change, so general a readiness to see in present exigencies a call to multiply the agencies, and put forth the powers of the Church, such a willingness to adopt even from Nonconformists something of the machinery which their energy has invented or developed. The evangelical zeal of the Ritualists, so unexpectedly put forth, and their direct and homely adaptation of their services to the wants of the masses, strangely as this is combined with puerile devotion to mediæval ornamentation, is but one phase, though a striking one, of the general movement. Meanwhile there is a notable stir among that portion of the Evangelical party which has hitherto been most impassive to the call for reform. Mr. Ryle, one of the acknowledged leaders of that party, has lately startled the readers of the 'Record' newspaper with a series of letters, which by the aid of the provincial press have been still further diffused over the country, in which he advocates the most sweeping measures of change as absolutely necessary. Deprecating ourselves the flippancy of the writer's tone, the violence of his statements, and the crudeness of his suggestions, we yet hail the appearance of movement in those stagnant regions where hitherto Dean Goode's apologetic doctrines of finality have prevailed. And we are persuaded that the far more moderate terms in which Mr. Ryle expressed himself in the Church Congress at Southampton may be accepted as indicating convictions now common amongst Evangelical Churchmen that much of the present system must be abandoned, and much conceded with a view to a closer union with those who are their natural allies.

Of the broader school of English Churchmen we need hardly speak in this conjunction. It is an essential part of their aim and hope to remove obstacles and bring forward inducements to a larger comprehensiveness. Dean Stanley, who is justly regarded as the chief and most influential representative of the school, has recently republished in his volume of 'Essays on Church and State,' the pamphlets and articles with which, for many years past, he has been endeavouring not unsuccessfully to advance this great work. If we forbear to dwell in detail on the merits of that volume, it is mainly because so large a portion of it appeared originally in the pages of this Journal; a fact which we mention with pride and pleasure, and not without an increasing hope that the principles which we have steadfastly advocated may commend themselves more and more to the judgment of the country.

The temper of the High Church party we have in great measure noticed already while touching on the proceedings of Convocation. But as a further indication of the expanding views entertained by many of them, we may point to a volume published last year, under the title of 'The Church and the Age,' the complexion of which is sufficiently attested by the names of Dean Hook, Bishop Ellicott, and Dr. Irons. This volume contains, we must allow, many sentiments inspired by the narrowest Anglicanism, and so far discouraging in the highest degree to the prospects in which we indulge. But it surprised and delighted us to find much of an opposite character; and that, above all, in the two concluding essays, written by the joint editors of the work, the Rev. W. D. Maclagan and the Rev. Archibald Weir. We did not happen to have heard before the names of either of these gentlemen—names which we can hardly be wrong in connecting with the northern kingdom, and regarding as fresh instances of the good effects produced by the infusion into the Anglican communion of views and tendencies brought from beyond the border, Mr. Maclagan, in his essay on 'The Church and the People,' pleads nobly and forcibly for that larger liberty and elasticity in the services of the Church of which the Scottish Kirk and the Nonconformists of England have alike shown the advantage; while Mr. Weir, in a still higher strain of catholicity, expounds the

theory which is Mr. Arnold's also—the theory of a Church embracing in one pale a large diversity of theological tenets, in accordance with the pre-existing diversity of mental constitutions. While avowedly rejoicing in the large scope already allowed within the Church of England, he looks forward, like ourselves, to the possibility and promise of a larger comprehension still; adding counsels to his fellow-churchmen in the meanwhile as wise and moderate as they are liberal and far-sighted. We sincerely hope that we shall not only meet Mr. Weir again in our capacity of critics, but hear also of his influence and activity in the Church which he serves.

While the clergy are thus in so many quarters advancing the enlargement of their communion, there is no want of proof on every side that the laity of the Church will not be behind them in supporting large and well-considered measures, when such shall be submitted to the Legislature. Witness the prevailing feeling, even at the Universities themselves, in favour of the admission of Dissenters to Fellowships. Witness again the support accorded to the still more liberal proposal to open the pulpits of the Church to ministers of other denominations. But we confess that the prospects are less cheering when we turn to the Nonconformists. On their side a proud self-complacency, a suspicious reserve, and a resolute abstinence from anything like counter-advances is too generally perceptible. But even this fact has its encouraging aspect. For if such are seen to be severally the effects of the system of sectarianism and the system of a National Church upon the minds of their votaries, the spectacle cannot fail to affect the nobler spirits among the Nonconformists, and to shake their faith in principles which so cramp the sympathies and promote disunion. We entertain the highest opinions of the great qualities of many of them; qualities which Mr. Arnold too has not failed most unequivocally to acknowledge. And while speaking of volumes of essays, we must notice one which, under the title of 'Ecclesia,' was published last summer, being the joint work of a few eminent Independent ministers. The essays are all temperate and able; some of them remarkably striking, and worthy to be widely read and pondered by Churchmen: all the more, because this is the direction which ecclesiastical reform tends now more especially to take. They are kindly in their tone towards the Established Church, just and appreciative of its merits in many ways, even when most keenly criticising it. Yet the tone of excessive self-complacency which we noticed just now runs through this volume also; nor have we observed in any part of it the expression of sorrow for the disruption, or desire for the reunion, of the Church. Only two or three of the essays betray the suspicion, if we remember rightly, that Congregationalism is not perfect; only one of them recommends any practical changes; and even in this (Mr. Rogers's contribution), the suggestions for reform are so timidly made, and with such disclaimers of innovating propensities, that English clergymen may well be reconciled to their twofold bondage to Church and State. Can it be that 'the Congregational Union' is capable of such proceedings as those of the Wesleyan Conference at Burslem last summer, when an unfortunate minister was cashiered for venturing to question the wisdom and spiritual benefits of the class system? The announcement of this proceeding appeared in the 'Times' of August 4th, side by side with the Archbishop of Canterbury's calm and law-loving answer to the anti-ritualist agitators; supplying a curious comment on the contrast between the Church which Liberationists would free, and those which are free already. With respect to the Congregational Union, we regret that it should have issued its recent manifesto in support of Mr. Miall's Bill for the Disestablishment of the National Church. A body consisting of the ministers and representatives of Christian congregations, meeting professedly for the promotion of evangelical religion and the maintenance of their own religious liberty, is hardly acting up to its ideal standard by taking a forward part in aggressive politics; and we cannot but be reminded of Mr. Arnold's remark, that though religion is good and politics are good, 'they make a fractious mixture.'

Individuals, of course, whether laic or clerical, may freely express their sentiments; and we could not wish for a fairer and more manly, as well as able, antagonist, than the Rev. J. Baldwin Brown, whose remarks on the subject before us, lately published,* we must here notice briefly. Frankly and generously acknowledging that the principle of an Establishment has been highly beneficial and even necessary in its time, he urges that its day is now past—the whole current of the age is against it—statesmen and thinkers of all classes are becoming more and more convinced that the work of the Christian Church is done better and more nobly without secular aid—the religious life, just like the higher intellectual life, of the nation thriving best when left altogether to itself. We reply that, as to the current of the age

* Contemporary Review January, 1871

tending irresistibly towards disestablishment, this is true neither more nor less than that it tends to the abolition of monarchy, of aristocracy, and of all privileges whatsoever, whether of classes or of persons—tendencies which doubtless are very patent and very powerful, which no statesman can disregard, no thinker can stigmatise as evil, but which, notwithstanding, few reasonable men of any party or station would wish to see wholly dominant. Then, as to the higher intellectual life, we are convinced that it is very materially dependent on establishments and endowments, in the shape of Universities and Schools (to say nothing here of the Church also) with their stimulants, their aids, their facilities for study. Doubtless the higher growths of genius are often independent of these, yet hardly independent of the seed which through them is continually supplied and diffused throughout the country. Similarly we are sure that the standard of theology, and we suspect of preaching also, would suffer materially by the abolition of the Establishment; and that this deterioration would be felt not least in that denomination of which both Mr. Brown and Mr. Dale are such distinguished ornaments—a denomination which owes more than it is aware of to the steady attraction and moderating influence of the great body which it protests against. But far more than effective preaching or theological attainments, our thoughts revert to the beneficent pastoral agency of the Church; that agency which would be fatally affected by the measure of disestablishment.

But surely, says Mr. Brown, the Church, if worthy of the name, will survive disestablishment and disendowment too. With all the advantages it has enjoyed, with the prestige of centuries attached to it, surely the Independent Episcopal Church could trust its own vitality, nay confidently look to remain the first and most powerful branch of the Christian Church in the land. 'The Independent Episcopal Church!' The title at once suggests the woeful change which would have been undergone. A powerful body doubtless; though more likely two or three powerful bodies, each claiming to be the inheritor of the past, and each pressing accordingly with exaggerated emphasis the peculiar tenets on which its pretensions rested. But even if (after all secessions from it) still unbroken, yet no longer comprehensive or expansive; no longer even in hope, or effort, or possibility national; and this precisely because it would be 'independent,' because it would be deprived of the present effective and, as it seems to us, rightful, salutary, and sacred bond of union between diverse schools of thought—the administration, namely, of a joint trust for the highest purposes, conferred and watched over by the highest earthly power. This is a view, however, which we almost despair of making our Nonconformist opponents understand. They, too, like ourselves (we doubt not), can repeat and admire the famous maxim: '*In certis veritas; in dubiis libertas; in omnibus caritas.*' But with them it is a truth which must be sharply defined and sternly held; a liberty which must submit to run in some sectarian channel; a charity which is never at ease while retaining on its feet the dust of a brother's errors.

The temper of the rival systems has been lately exemplified on a larger scale in the recent history of the Education Bill, which we refer to here as showing very strikingly the natural tendency of the principles which we contrast. For many years past, as everyone knows, the work of educating the children of the poor in England has been most zealously and effectively promoted by the parochial clergy, in spite of a cost often beyond their means, and with a self-denial which bore to see the fruits of their labors reaped largely on Sundays by the Dissenting minister. Now why was this? Not because a Churchman is necessarily a better or less bigoted man than a Nonconformist; but because the parish clergyman, however deeply (and it may be unduly) attached to fixed doctrines and prescribed formularies, still knows and feels that the theory of his position is to work for the benefit of all, and is constrained in direct proportion to his conscientiousness so to do.

Such being the existing state of things, when Government brought in the Education Bill of last Session, how was that Bill met on either side? We have seldom seen a more apt illustration of the case of the two mothers in Solomon's judgment. Mr. Arnold is not too severe in the remarks he makes on the parliamentary champions of the party. We share his hope, however, and his belief, that they were not really the representatives of the bodies for whom they claimed to speak. And while we are sure that the country in general has not been slow to judge of either tree by its fruit, as has been shown indeed in the recent elections of School Boards, we trust that many among the Nonconformists in particular will be led to reconsider their position, and to reflect whether, after all, a National Church is so unchristian an institution, and dissent from it so sacred a duty, as they have long been taught to think.

II. But it is time before we conclude to cast a glance on that other portion of the subject which Mr. Arnold has handled—the doctrinal causes which have led to secession

from the English Church. It is by St. Paul's authority chiefly that dissidents would seek to justify their position; and in the case of both Calvinists and Solifidians, principally on the ground of certain passages in the Epistle to the Romans. This Epistle, more than any other part of Scripture, has been made the stronghold of peculiar dogmatical systems, often in disregard, not to say contradiction, of other parts of Holy Writ equally claiming deferential acceptance. It has occupied the attention of controversialists quite disproportionately to its intrinsic importance, great as that importance is. M. Renan aptly remarks that dogmatic theology was born on the day when this letter was despatched from the port of Cenchreæ to the rising Christian community at Rome.

Now, without entering on theological discussions, which we wish to avoid, we are impelled to challenge the undue supremacy accorded to this Epistle over all others which St. Paul has written, and indeed over all the doctrinal writings of the rest of the Apostles. If we are to claim for some one of the Pauline Epistles a pre-eminence over all besides on the ground of the wider experience and the maturer wisdom which suggested it, such pre-eminence assuredly cannot be adjudged to this one in particular. Doubtless such a superiority is claimed for it, not without reason, over those that are of earlier date; but by parity of reasoning it must give place itself to those which were written three or four years later, during his imprisonment at Rome. And, indeed, it is impossible to doubt that, granting the compatibility of inspiration with mental growth and progress in wisdom, the period which witnessed his confinement at Cæsarea, his voyage to Rome, his residence in the great city, and his intercourse during all that time with Western Gentiles of all classes, could have failed to enlarge the Apostle's sphere of thought, and to teach him to grasp more freely and more comprehensively the central principles of the Gospel which he delivered.

But still it may be said that the Epistle to the Romans, more than any other, is a systematic and exhaustive treatise. In one sense, doubtless, so it is. But if by this be meant (as even Mr. Arnold seems to think) that it contains an exposition of the Gospel addressed specifically both to Jew and to Gentile, the assertion seems to us to be directly contrary to fact. The Roman Christians to whom St. Paul was writing were essentially Judaic in their conceptions, and to them alone he addresses himself. They had reached Christianity as Jewish proselytes through the medium of Judaism, and all their ideas of it were tinged with this local colour. Knowing this, and intensely alive to the importance of a church placed at the very centre of world-wide influence, and exposed to the narrow and mischievous errors which everywhere he so earnestly combated, the Apostle sets himself with all the energy of his powerful mind to expound the doctrines of Christianity. Yet this he does with a care so delicate not to offend the prejudices of his readers, and with an understanding so thorough of those prejudices, as almost to amount to a sympathy with them. Such a treatise, however elaborate, cannot be represented as being equally addressed to those to whom such prejudices are almost unintelligible. And it is because we are now expected by religionists to read the Epistle under a belief in our need of the same arguments as the Romans, that we get into so helpless a state of mind in reading it. Can anyone seriously think that St. Paul would have written in the same strain to a Church composed of thoughtful Gentile Romans—men, we will not say like Seneca and Gallio, but even like Julius the centurion? Even to Seneca and such as him, whether in the character of converts or of inquirers, who can doubt but that Paul would have known how to state his message powerfully and persuasively? We have no such specimens of his teaching preserved to us, or at least only short and imperfect summaries of such in the Book of Acts. But assuredly we have an approximation to it in the Epistles to the Colossians, and the Ephesians (so called), and again to the Philippians, rather than in that to the Judaising Romans. Here then, rather than in the latter, we are to look for the fundamental principles of his teaching 'my Gospel' as he called it elsewhere, 'that Gospel which I preach among the Gentiles.' Even here we must guard in some degree against a factitious attitude of mind, producing distorted impressions. We must remember that we read as bystanders (so to speak), not as direct recipients—not as those for whom the words were specially intended, and to whom they were immediately addressed. It is this canon of criticism, long neglected under a false conception of the nature of inspired writings, which is now giving such freshness and force to the revived study of the Bible; and in the application of which (hazardous often, we grant, and tending to rationalism) we need divines to guide us endowed with great qualities spiritual and intellectual also.

Mr. Arnold deserves our thanks for having in so large a measure drawn out the true ideal of St. Paul from their accidental surroundings, and shown how unlike is his the-

ology to the favourite systems of Puritanism—systems which often arise in fact from distorted reproductions in a modern form of notions which the Apostle shared just so far as to seek to bend them in the direction of Christianity. Our author is severely assailed by his critics for adopting this view of the matter. 'We were told just now (they say) by Mr. Arnold that the Roman Christians judaised; now he would have us believe that the Apostle judaises himself.' Well, who can deny that he does so, unless we contradict his own assertion: 'To the Jews I became a Jew that I might gain the Jews.'

Mr. Arnold analyses the Epistle to the Romans, dividing it into what he calls primary, subprimary, and secondary parts (p. 151). Fortified ourselves by the teaching of the three great Gentile Epistles (to which we add also those to the Thessalonians), we see every reason to confirm his conclusions in this respect; we think too that he has truthfully and strikingly described the leading characteristics of St. Paul's mind, as being an enthusiastic longing after righteousness and an overwhelming sense of his natural inability to attain to it. But when we pass with him 'from the sphere of morals into the sphere of religion' (p. 112), Mr. Arnold must pardon us for saying that, in spite of much even here which is beautiful and true in his essay, we are deeply dissatisfied with his exhibition of Pauline doctrine. We cannot accept his conception of faith as at all sufficient (p. 130, &c.); we demur to his merely mystical view of resurrection (p. 146); and when he tells us that 'science cannot follow theologians into the transcendental distinctions they make between Jesus and Socrates' (p. 138), we can only say that such science has little in common with Christianity. These theological questions, however, are not for us to deal with; and we merely notice them now as points in which we think Mr. Arnold's book deserves the blame it has met with; points in which he has either gone too far as an analytical critic, or not far enough as a Christian teacher.

And now briefly, in conclusion, let us say that, notwithstanding all discouragements, we cherish the hope of a time approaching when Churchmen and Orthodox Dissenters shall coalesce on the basis of a simpler doctrinal system and a broader ecclesiastical constitution; leaving inevitable differences in these matters to be badges, if need be, not of sects, but of schools. We are thankful to see so many proofs of the possibility of such a fusion in the expanding views and growing charity of both parties; and if these are more observable on the side of the Church than on that of the separatists, thus much is certainly due from those by whom the wrongs have been chiefly committed, and by whom the exclusive rights are still enjoyed. We will not venture to suggest more definitely the measures by which the desired consolidation might be effected; but in truth it is not so much practical suggestions which are needed now, as an increase of the wish on both sides to reach the desirable end. 'Our main business' (as Mr. Arnold well remarks elsewhere) 'is not so much to work away at certain crude reforms, of which we have already sketched the scheme in our own mind, as to create a frame of mind out of which really fruitful reforms may with time grow' (Culture and Anarchy, p. 253). On the part of the Church, however, some of these reforms are more and more generally felt to be necessary; and if effected would assuredly do much in opening the way to reconciliation and union. Limits doubtless there must be, after all, to any possible combination between conscientious men earnestly persuaded of the intrinsic importance of their respective tenets. But even at the point where fusion is no longer possible, federal union may be carried further still. And, certain as it seems to be that modern thought will take more and more the direction in too many cases of departure from Christian faith, it behooves all who have the same sacred cause at heart to unite in defending the truths which they hold most precious, and in maintaining for the country that national profession of Christianity which they believe to be in all things essential to its welfare.

ART. V.—*The Poetical Works of Percy Bysshe Shelley, including various Additional Pieces from MS. and other sources.* The Text carefully Revised, with Notes and a Memoir. By WILLIAM MICHAEL ROSSETTI. 2 vols. London: 1870.

THAT a new and carefully revised edition of Shelley's works was needed has long been admitted, and even insisted on, by the students and critics of his poetry. In all existing editions the text, it is well known, had numerous inaccuracies and corruptions, some of which seriously affect both the metre and the sense. The late Professor Craik, in noticing Mrs. Shelley's four-volume edition of her husband's poems, gives from the first volume alone a long list of errata affecting a

number of lines in several of Shelley's most exquisite pieces. Some of these, such as 'the blue Ægean girls' instead of 'the blue Ægean girds,' are obvious misprints corrected in subsequent issues. But the majority of corrupt passages—some, it is true, involving nice points of criticism—reappear in the one-volume editions, and have continued to disfigure the text. Supposing the number of errors in the three other volumes of Mrs. Shelley's edition to be no greater than those pointed out in the first, there would still be in Shelley's poems upwards of a hundred lines and passages requiring critical revision. But recent discussions on the subject show that the actual difficulties of the text are both more numerous and more important than earlier critics had supposed them to be. Mr. Swinburne, who has taken an active part in these discussions, hardly exaggerates when he says, 'It is seldom that the work of a scholiast is so soon wanted as in Shelley's case it has been. His text is still a matter of debate and comment, as though he were a classic newly unearthed. Certain passages begin to be famous as crucial subjects for emendation, and the master singer of our modern poets shares with his own masters and models the least enviable proof of fame —that given by corrupt readings and diverse commentaries.'

It was his intimate knowledge of these imperfections that led Mr. Rossetti to undertake the task of editing Shelley's poetical works, and in executing this task he has directed his attention mainly to the text. The new edition contains, it is true, a number of early poems and fragments not previously included in the collected works, with some that have never yet been printed. Many of these are of indifferent merit, but they are all of some interest and value, as helping to illustrate the growth and development of Shelley's poetical genius. There is also prefixed to the first volume a memoir by the editor which condenses the known facts of Shelley's life into a clear and readable narrative, and deals with the disputed points of his history in a spirit of candour and impartiality. But the most important feature of the new edition is the careful revision of the text, on which a good deal of minute critical labour has evidently been expended. The editor has done his best to recover and turn to account the materials still available for the correction of Shelley's text. These, it must be confessed, are not very abundant, or of much authority. The manuscripts of the more important poems are not known to exist, and in these cases the first printed editions — especially those published under Shelley's own eye—are the only sources available for critical comparison and revision. These have supplied a few improved readings, and removed some of the more obvious corruptions of later texts. But the most critical use of first editions leaves the great mass of difficult passages untouched, and for the correction of these Mr. Rossetti has had to fall back on conjectural emendation. It is, perhaps, useless to expect anything like general agreement in relation to this most difficult part of an editor's work, and we certainly cannot accept many of Mr. Rossetti's suggested corrections. Still, some of his readings are happy, and in wielding the two-edged weapon of critical conjecture, he displays in the main both caution and skill. His work is, indeed, marked throughout, not only by intelligence, but by unflagging zeal and enthusiasm in the execution of his chosen task. As a natural result, we have in the volumes before us a completer collection and more accurate text of Shelley's poetical works than has hitherto been given to the world.

It is a curious psychological problem how it is that amongst modern poets Shelley should be distinguished by his comparative neglect of minute verbal accuracy; how it comes to pass that the text even of poems which he himself carefully revised should be so extremely imperfect. Mr. Rossetti's solution of this problem, while true as far as it goes, appears to us hardly satisfactory or sufficient. Strictly speaking, indeed, it can scarcely be called an explanation at all, being little more than a detailed and elaborate statement of the fact:—

> 'If we inquire *why* Shelley has suffered so much in the printed form of his poems, we shall find that the responsibility rests upon three defendants—Shelley himself, Casualty, and Mrs. Shelley. Shelley was essentially careless as a writer. Spite of his classical education and tastes, and his cultivated perceptions of many kinds, he was at all times capable of committing, and incapable of avoiding, slips of grammar and syntax — slips which may, indeed, be called small, but which are not the less gross — and other oversights, such as rhymes left unsupplied, or nullified by writing the wrong word.'

The two last sources of inaccuracy mentioned by Mr. Rossetti may, however, be dismissed, as they can only affect poems not revised on their first appearance by Shelley himself. And some of the greatest difficulties in sense, construction, and metre occur in the longer poems, such as 'The Revolt of Islam,' corrected in proof by Shelley's own hand. The problem is, how it happens that in these poems there are grammatical laxities and metrical oversights, which are not only stumbling-blocks to readers of ordi-

nary cultivation, but the despair of acute and accomplished verbal critics. Mr. Rossetti, as we have seen, does little more than emphasise the fact that Shelley was in the habit of making such slips, and perhaps it is difficult to get much beyond this in the way of definite explanation. Still, it seems desirable to offer, if possible, some rational account of so curious a feature of Shelley's writing. An attempt to throw some light upon it may at least be made.

This uncritical negligence, the want of minute accuracy in the details of his verse, seems to us intimately connected with the whole character of Shelley's mind, and especially with the lyrical sweep and intensity of his poetical genius. He had an intellect of the rarest delicacy and analytical strength, that intuitively perceived the most remote analogies, and discriminated with spontaneous precision the finest shades of sensibility, the subtilest differences of perception and emotion. He possessed a swift soaring and prolific imagination that clothed every thought and feeling with imagery in the moment of its birth, and instinctively read the spiritual meanings of material symbols. His fineness of sense was so exquisite that eye and ear and touch became, as it were, organs and inlets not merely of sensitive apprehension, but of intellectual beauty and ideal truth. Every nerve in his slight but vigorous frame seemed to vibrate in unison with the deeper life of nature in the world around him, and, like the wandering harp, he was swept to music by every breath of material beauty, every gust of poetical emotion. Above all, he had a strength of intellectual passion, and a depth of ideal sympathy that in moments of excitement fused all the powers of his mind into a continuous stream of creative energy, and gave the stamp of something like inspiration to all the higher productions of his muse. His very method of composition reflects these characteristics of his mind. He seems to have been urged by a sort of irresistible impulse to write, and displayed a vehement and passionate absorption in the work that recalls the old traditions of poetical frenzy and divine possession. His conceptions crowded so thickly upon him, were embodied in such exquisite verbal forms, and so enriched by illustrations flashed from remote and multiplied centres of association, that while the fever lasted his whole nature was carried impetuously forward on a full tide of mingled music and imagery. From this exuberance of poetical power some of his critics have reproached him with accumulating image upon image without pausing to select, discriminate, or contrast them. And it is no doubt true that there are passages in which metaphors and similes are heaped on each other in almost dazzling profusion. But even in his most opulent and ornate descriptions there is hardly a trace of conscious labour or deliberate effort. In his higher work the brilliant diction and splendid imagery glow with kindled emotion, and are wrought into the very substance of the poem by the sustained vehemence and rapture of his impassioned verse. Many of his most exquisite pieces were in this way produced almost at a sitting—at a single heat, as it were—and some of his longest poems, such as 'The Revolt of Islam' and 'The Cenci,' were completed in a few months. Once engrossed with a great poetical conception, all his powers were kindled to a pitch of the highest intensity, and amidst the crowding realities of imagination the whole world of sense grew pale and dim, and everything around became for the time unsubstantial as a dream.

This power of complete and passionate absorption in an ideal world of his own had marked Shelley from his earliest years. The stories told of his boyhood and youth strikingly illustrate this feature of his character. His relative and early companion, Medwin, tells us, for example, that at Sion House, Brentford, where they were at school together, Shelley was habitually given to waking dreams, from which he was with great difficulty aroused, and that when he did awake 'his eyes flashed, his lips quivered, his voice was tremulous with emotion, a sort of ecstasy came over him, and he talked more like a spirit or an angel than a human being.' And the curious account given by Hogg, of the way in which during their walks together round Oxford, he would pause at any wayside pond or pool, set little paper vessels afloat, and, taking no note of time, watch with exquisite enjoyment the fortunes of his tiny fleet, brings into strong relief the same habit of mind. Shelley himself, however, gives the most vivid picture of this abstracted mood in the description of the poet by one of the spirits in 'Prometheus':—

> 'He will watch from dawn to gloom
> The lake-reflected sun illume
> The yellow bees in the ivy-bloom,
> Nor heed nor see what things they be;
> But from these create he can
> Forms more real than living man,
> Nurslings of immortality!'

Shelley's 'nurslings of immortality' were produced in such seasons of wrapt and exulting vision, and they bear in every part authentic and indelible marks of their origin. The verbal obscurities and metrical defects

that have given his critics so much trouble are amongst these marks. The thoughts and feelings and images that crowded upon him he was in the habit of committing to paper with the utmost rapidity, and so that the expression was clear and rhythmical enough to be for the moment a kind of musical transcript of what was passing in his own mind, he was satisfied. He could not pause to elaborate the niceties of diction while new and stimulating thoughts, fresh and more brilliant images, were every moment pressing for utterance. If any difficulty as to word or phrase arose, instead of staying to remove it, he left a blank and passed on to embody the fresh visions of ethereal beauty that filled the inward eye before they again faded into the obscurity out of which they had so swiftly arisen. Or he would sometimes give within brackets tentative or alternative expressions, to be afterwards examined and decided on more at leisure. When he returned to revise and complete the unfinished or fragmentary piece, his mind evidently kindled afresh into something like its first ardor, and the work was matured under conditions of poetical excitement similar to those that accompanied its birth. And once fairly finished he busied himself to get the new creation of his brain printed as soon as possible. His eagerness to publish and the reason he gives for it are highly interesting and characteristic. 'If you ask me,' he says, writing to his friend Trelawney, 'why I publish what few or none will care to read, it is that the spirits I have raised haunt me until they are sent to the devil of a printer. All authors are anxious to breech their bantlings.' The real reason was, of course, that his mind being full of new conceptions he wanted to be free for fresh creative efforts. In this way, having once published a poem, he considered himself to have done with it, and rarely attempted afterwards anything in the shape of critical revision. Nor in the first printing did he make any important alterations or correct the press with any great care. Some of his poems, it is true, sent from Italy in manuscript, were carried through the press by friends in England, but this was probably rather an advantage in the way of accuracy than otherwise. Hunt, Peacock, and Gisborne would probably be more careful readers of proofs than Shelley. At least, 'The Revolt of Islam,' published under his own eye, contains perhaps more verbal and metrical difficulties than any other of his poems.

Not that Shelley was careless as to expression, or at all wanting in critical power. On the contrary, he had the finest instinct for language, which he had early cultivated so as to acquire a wonderful mastery over the more vivid, ideal, and expressive elements of poetical diction. But for this, indeed, with his rapid habit of composition, eagerness to print, and neglect of all after revision, the verbal difficulties of his poems would be far more serious than they are. Again, his prose writings show that he possessed a critical faculty of the rarest delicacy and penetration, a power of philosophical analysis of the keenest edge and finest temper. But the persistent exercise of this faculty upon his own poetry would have required an amount of deliberation and delay, a coolness of temperament, a power of standing aloof from his own work and regarding it in a purely objective point of view wholly foreign to Shelley's nature. In seasons of inspiration he concentrated his whole soul on the work in hand, wrought strenuously to invest his poetical conceptions with 'the light of language,' and present them to the world in the most perfect form, and having done so he deliberately left them to their fate. To have occupied himself afterwards in touching and retouching the finished work would have been in his view a waste of time. Such careful and minute critical revision could in any case only be undertaken in intervals of leisure as a reaction and relief from creative effort. But Shelley was always producing; the completion of one poetical work being almost invariably followed by the commencement of another. In the preface to 'The Revolt of Islam,' a poem half as long as the 'Æneid,' he offers what may be regarded as an explanation and defence of his procedure in this respect:—

> 'The poem now presented to the public occupied little more than six months in the composition. That period has been devoted to the task with unremitting ardor and enthusiasm. I have exercised a watchful and earnest criticism on my work as it grew under my hands. I would willingly have sent it forth to the world with that perfection which long labour and revision is said to bestow. But I found that if I should gain something in exactness by this method, I might lose much of the newness and energy of imagery and language as it flowed fresh from my mind.'

Shelley's longer poems rarely therefore display that perfect evenness of verbal and metrical finish which we find in later writers, and most of all in Tennyson. It must be remembered, however, that Tennyson has spent upwards of forty years in elaborating with consummate art a body of poetry hardly greater in amount than Shelley produced in seven. Nevertheless, in his best work Shelley is superior to Tennyson, not only in substance but in form. His finest passages have a

witchery of aërial music, and exquisiteness of ideal beauty, and a white intensity of spiritual passion which Tennyson never reaches. But the very qualities of mind and heart out of which these perfections spring carry with them the conditions of relative imperfection in the minor details of his work. The lyrical depth and impetuosity of feeling which carries Shelley on, and gives such freedom and grace to the poetical movement of his kindled thought, is unfavourable to perfect smoothness and accuracy in the mechanical details of his verse. He was often, in fact, too completely absorbed in the glorious substance of his poetry to give any minute attention to subordinate points of form. Thus, although from native fineness of ear his lines are never unrhythmical, the rhyme is often defective, and sometimes the metre as well. And while his thought, even in its most subtle refinements, is always lucid, the expression, from haste or extreme condensation, is sometimes far from being clear.

But there are other features of Shelley's poetry besides its occasional metrical defects and verbal obscurities that are evidently due to the same cause—spring naturally from his lyrical mood of mind and rapid manner of writing. Amongst these may be ranked his habit of repeating sometimes over and over again the same epithets, phrases, and images, and he often does this even with the rarer and more noticeable words and phrases. This constant repetition of favourite epithets and illustrations, not only in different poems, but often in the same poem, is in marked contrast to the scrupulous exactness of more recent poets in this respect. If Tennyson, for example, uses a striking or unusual epithet, he is sure to do so very sparingly, and we might predict with something like certainty that it would not occur again, at least in the same poem. But Shelley has hardly a trace of this artistic fastidiousness and reserve. Early in the first canto of 'The Revolt of Islam,' for example, Shelley uses the epithet *marmoreal* in a passage that, hurriedly read, might suggest its reference to the sea, but where the context shows that it is metaphorically employed in a more familiar and intelligible way to the unveiled bosom of the fair shape sitting on the sand:—

'Then on the sands the Woman sate again,
And wept and clasped her hands, and all between
Renewed the unintelligible strain
Of her melodious voice and eloquent mien;
And she unveiled her bosom, and the green
And glancing shadows of the sea did play
O'er its *marmoreal* depth:—one moment seen,
For ere the next, the Serpent did obey
Her voice, and, coiled in rest, in her embrace it lay.'

A few stanzas further on, in the same canto, the epithet occurs again, and is applied, as Homer and Virgil apply it, to the sea. Speaking of the spirit-temple which lifts its vast dome beyond 'nature's remotest reign,' he says:—

''Twas likest Heaven, ere yet day's purple stream
Ebbs over the western forest, while the gleam
Of the unrisen moon among the clouds
Is gathering—when with many a golden beam
The thronging constellations rush in crowds,
Paving with fire the sky and the *marmoreal* floods.'

The epithet is noteworthy in several respects. In the first place, although *marmorean* occurs in older glossaries, *marmoreal* seems to be a coinage of Shelley's own. At least it is unknown to our standard English lexicographers, and we remember no instance of its use by previous writers. In the second place, though a classical epithet, it does not seem to be used by Shelley in the classical meaning of bright, shining, smooth, and brilliant. It is rather employed to describe an element or substance of lucid purity and depth with a faintly variegated surface, in much the same way as the term *marble* itself is applied by Milton and Shakspeare to the sky. Shelley himself, indeed, interprets his own use of the term as applied to watery expanses, when, in a later poem, he speaks of 'the liquid marble of the windless lake.' The beautiful phrase, 'liquid marble,' is Ben Jonson's, only it is applied by him to poesy in one of the finest passages of his more serious verse:—

'She can so mould Rome and her monuments
Within the liquid marble of her lines,
That they shall stand fresh and miraculous,
Even when they mix with innovating dust.'

But the point to be noticed is, that, although thus rare and striking, the word is used by Shelley twice within the compass of a few stanzas. In the same canto, another epithet, employed in an unusual, if not an ambiguous, sense, occurs more than once. This epithet is *breathless*, applied to the sky and to the sea in a way that makes it doubtful whether it is used in its literal sense, to denote the perfect calm, the unruffled state of the elements when not a breeze or a ripple is stirring; or whether it is applied figuratively to express the expectant hush, the eager rapturous silence, when the very breath is held for admiration and delight, and all the powers of mind and body are stilled by an overmastering emotion into a state of ecstatic trance. The epithet may have been derived from the fine description of the hushed moonlit night at the end of the eighth

book of the 'Iliad;' for although the Homeric epithet, applied also by Euripides to the sea, is *breezeless* rather than *breathless*, it might be fairly enough translated by the latter word. Or it may have been originally suggested by a passage in Wordsworth, of whose early writings Shelley was an appreciative reader. The poet is describing the address of an Indian chief to the assembled tribes

> 'In open circle seated round, and hushed
> As the *unbreathing air*, when not a leaf
> Stirs in the mighty woods.'

Here the precise meaning of the epithet is perfectly clear. Shelley, however, uses the analogous but more intense and eager term *breathless*, both more frequently and with greater latitude of meaning than Wordsworth's calm and critical nature would allow him to do. The following instances illustrate his use of this epithet, and they all occur within a comparatively few stanzas of each other:—

> 'For I was calm while tempest shook the sky:
> But when the *breathless* heavens in beauty smiled,
> I wept, sweet tears, yet too tumultuously
> For peace, and clasped my hands aloft in ecstasy.'

> 'The spirit whom I loved in solitude
> Sustained his child: the tempest-shaken wood,
> The waves, the fountains, and the hush of night—
> These were his voice, and well I understood
> His smile divine, when the calm sea was bright
> With silent stars, and Heaven was *breathless* with delight.'

> 'And now, to me
> The moonlight making pale the blooming weeds,
> The bright stars shining in the *breathless sea*,
> Interpreted those scrolls of mortal misery.'

There is perhaps no real ambiguity in any of these instances, the use of the term in the second case being figurative, and, in the other two, mainly literal, expressive of perfect outward calm, undisturbed by breath or breeze. But even in these cases, where the term seems literally applied, there is probably the double reference so common in Shelley's poetry; the suggested subtle interfusion of human and natural influences, the blending in their higher moods of individual and general life, the instinctive sympathy, if not the momentary identification, of the soul of man with the soul of the universe. This kind of vital action and reaction comes out more fully in the following instances of the same image taken from some of the minor poems. The first refers to a poet walking at sunset with the lady of his love:—

> 'None may know
> The sweetness of the joy which made *his breath*
> *Fail*, like the *trances of the summer air*.'

In 'Rosalind and Helen,' there is another description of a similar scene:—

> 'And when the evening star came forth
> Above the curve of the new bent moon,
> And light and sound ebbed from the earth,
> Like the tide of the full and weary sea
> To the depths of its own tranquillity,
> Our natures to its own repose
> Did the earth's *breathless* sleep attune.'

And in the 'Lines written among the Euganean Hills,' we have, referring to the murmur of leaves kissed by odorous winds:—

> 'While each *breathless* interval
> In their whisperings musical
> The inspired soul supplies
> With its own deep melodies.

Other favourite epithets, constantly used by Shelley to describe the same hushed moment of nature, the same rapt mood of mind, are *windless* and *wordless*. These ecstatic intervals, brief trances of breathless delight, are associated in Shelley's thought and in his poetry with another physical sign of swift desire and eager expectation, that of parted lips. The quenchless ardour of his own mind made him indeed acutely sensitive to all, even the slightest, natural indications of kindled thought and intense feeling, and he has an unrivalled power of depicting these. With regard to the feature under review, that of parted lips, there is a passage in his letters from Rome describing the figures of Victory on the arch of Titus, which shows the delicacy of his observation and supplies a key to many brief descriptions of the same kind in his poetry. 'The figures of Victory with unfolded wings, and each spurning back a globe with outstretched feet, are, perhaps, more beautiful than those on either of the others. Their lips are parted; a delicate mode of indicating the fervour of their desire to arrive at the destined resting-place, and to express the eager respiration of their speed. Indeed, so essential to beauty were the forms expressive of the exercise of the imagination and the affections considered by Greek artists, that no ideal figure of antiquity, not destined to some representation directly exclusive of such a character, is to be found with closed lips.' This feature of passion-parted lips occurs in the description of the veiled maiden, who reveals herself to the sleeping poet in 'Alastor;' of the woman on the

sands watching the struggle between the serpent and the eagle; as well as in the account of the more passionate intercourse between Laon and Cythna in the 'Revolt of Islam.' It is repeated also in the 'Prometheus,' and in a number of other poems. In many of the longer poems, indeed, the description occurs, not once alone, but several times, and is often associated with the other sign of supreme emotion, that of rapt silence or speechless ecstasy. A couple of examples will suffice to illustrate this:—

'Her dark and deepening eyes,
Which, as twin phantoms of one star that lies
O'er a dim well, move, though the star reposes,
Swam in our mute and liquid ecstasies
Her marble brow, and eager lips, like roses,
With their own fragrance pale, which spring but half uncloses.

'I stood beside her, but she saw me not—
She looked upon the sea, and skies, and earth;
Rapture, and love, and admiration wrought
A passion deeper far than tears, or mirth,
Or speech or gesture, or whate'er has birth
From common joy; which, with the speechless feeling
That led her there united, and shot forth
From her far eyes, a light of deep revealing;
All but her dearest self from my regard concealing.

Her lips were parted, and the measured breath
Was now heard there.'

These passages from 'The Revolt of Islam' exemplify the repetition of favourite images as well as of unusual epithets. Shelley's poetry abounds in beautiful images and descriptions, derived from the reflection of objects in the depths of a quiet stream, or on the broader expanse of the tranquil sea. This, no doubt, resulted from his early habit of poring for hours over the margin of a shaded pool or silent lake, absorbed in the contemplation of aërial mountains, woods, and skies, in the inverted world of beauty below. The passages we have quoted contain no fewer than three examples of stars reflected in the sea, while, in an earlier stanza of the same canto, we have a fourth:—

'And that strange boat, like the moon's shade did sway
Amid reflected stars that in the waters lay.'

Further on in the poem again we have,

'Around, a forest grew
Of poplars and dark oaks, whose shade did cover
The waning stars prankt in the waters blue,
And trembled in the wind which from the morning flew.'

These examples are taken from a canto or two of a single poem. But all the longer poems, and many of the shorter ones, are brightened at intervals with wave-reflected stars, and gems, and flowers. In Shelley's later and more finished productions these elements of beauty are, however, used both more sparingly and with finer artistic feeling. In this point of view it is interesting to compare the comparatively frequent and careless use of wave-reflected images, and especially of wave-reflected stars, in 'The Revolt of Islam,' with the exquisite employment of the same image in the more matured 'Prometheus':—

'The point of one bright star is quivering still
Deep in the orange light of widening morn
Beyond the purple mountains: through a chasm
Of wind-divided mist the darker lake
Reflects it; now it wanes; it gleams again
As the waves fade, and as the burning threads
Of woven cloud unravel in pale air;
'Tis lost! and through yon peaks of cloud-like snow
The roseate sun-light quivers.'

Nothing could be more perfect than this. Another image Shelley is fond of, that of *lair* or *den*, seems less intelligible, or at least less attractive on the score of intrinsic beauty and expressiveness. But it occurs throughout his poems with considerable frequency both in its literal and figurative signification, and may be taken as one amongst many illustrations of what is an undoubted feature of his mind—the fascination which images of gloom and terror exercised over his imagination.

We may add, as examples of striking and unusual terms repeated in the poems, *moonstone*, *dædal*, *nurslings;* the two latter occurring over and over again in many of his important works, while amongst the epithets he is fond of repeating are, *lampless*, *dreadless*, and *printless*. Of phrases repeated, 'mists of sense and thought,' and 'a mist of sense and thought,' are found in the compass of a few lines in one of the smaller poems. Other favourite references are 'to downward gazing flowers,' 'eddying whirlpools,' 'rushing torrents,' 'sublunar and interlunar spaces,' 'stellar and planetary wildernesses,' 'love's folding-star,' and 'the serpent of eternity.' Shelley shows, indeed, a strong partiality for serpent metaphors, similes, and allegories, the serpent being with him the emblem of good instead of evil. Very early in his poetical career, he had so far reversed the accredited symbols of truth and falsehood, guilt and innocence, as to make the serpent the representative of virtue and goodness, of the higher influences and hopes of humanity. He is also very fond of cloud metaphors and

similes, and revels in descriptions of the effects of cloud-transmitted light at dawn, sunset, moonrise, and in moonlighted midnight skies.

But the allusions that occur most frequently of all in Shelley's poetry are undoubtedly those to the art and mystery of weaving, including the whole process and its results, warp, woof, and web. These references are indeed so numerous, so habitual, so wrought into the very texture of Shelley's poetical thought and style, as almost to defy analysis and calculation. We may, however, class together some of the more common allusions, the groups being derived from actual examples in his poems. We have in them woven sunbeams, moonbeams, and dewbeams, woven winds, waves, foam-wreaths, rainbows, and exhalations, woven hearts, affections, passions, caresses, and murmurs, woven lights, sounds, odours, hues, and flames, woven boughs, leaves, branches, tracery, and bowers, woven thoughts, language, words, converse, hymns, and tales. We have in addition woofs of spell-woven clouds, of intelligible thought, of thrilling sound, webs of gold, webs of being, webs of mystic measure, braided sunbeams, braided locks of twilight, star-in-woven robes, flower, violet, and moss in-woven soil, intertangling lines, complicated waves and implicated orbits. These examples are taken for the most part from the longer poems, but similar allusions occur in most of the smaller ones, and there are certain forms of natural beauty and certain kinds of emotional experience which are almost always illustrated by images derived from this prolific source. Had Shelley indeed been the enchanter Merlin himself, with the profoundest faith in 'the charm of woven paces and of waving hands,' he could not have resorted more constantly to this peculiar spell, or have given it a more prominent place in his magical verse. His whole poetry is in fact covered with a fine net-work or web of figurative allusions to weaving. No doubt this lavish use of a special kind of imagery has a direct relation to characteristic elements of Shelley's own thought. It reflects the subtle but profound and unceasing interpenetration of all physical and psychical influences which we have already noticed as a feature of his poetry, and which constitutes, indeed, one of the most vital articles of Shelley's philosophical creed. In his view, the universe at large is instinct with thought and emotion, while, on the other hand, the human soul is filled in turn with light and colours, fragrance and music, sea and sky, and experiences alternately the changes of vernal beauty and wintry desolation. The activities of each—supported by the vital spirit of nature, the ever-living soul of love—pass into the other, and weave the mystic web which mortals in their pathetic ignorance call hope and fear, life and death, time and eternity. This view, reflected from innumerable side-lights of imagery and allusion, underlies the more serious and thoughtful passages of Shelley's poetry, and occasionally finds expression in more direct terms, as in the last stanza but one of the 'Adonais,' and in a striking passage towards the close of the 'Lines written among the Euganean Hills.' But while the kind of imagery thus reflects what is deepest in Shelley's poetry, it is still a defect of art, or at least of critical watchfulness on his part, to repeat again and again the same image in almost the same words. Without pausing to illustrate this in extended detail, we may give a single example from the first volume of poems Shelley ever published, the thin duodecimo containing the 'Alastor' and a few smaller pieces. In the comparatively few pages of this slight volume the same image is repeated three times—and twice at least in almost the same terms. In 'Alastor,' the first poem in the book, the following description of twilight occurs:—

> 'Twilight, ascending slowly from the east,
> Entwin'd in duskier wreaths her braided locks
> O'er the fair front and radiant eyes of day;
> Night followed clad with stars.'

Further on, in the beautiful lines entitled 'A Summer-Evening Churchyard, Lechlade, Gloucestershire,' this is repeated as follows:—

> 'The wind has swept from the wide atmosphere
> Each vapour that obscured the sunset's ray;
> And pallid evening twines its beaming hair
> In duskier braids around the languid eyes of day.'

And in the last poem, 'The Demon of the World,' in an appeal to one who had watched the sunset from the shore we have:—

> 'Thou must have marked the braided webs of gold
> That without motion hang
> Over the sinking sphere.
> . . . . . .
> The feathery curtains
> That canopy the sun's resplendent couch.'

We can hardly doubt that in these, as well as in the other instances we have noticed, Shelley himself was unconscious of the repetition, and if so, no stronger proof could be offered of the uncritical manner in which he was accustomed to regard even his best poems when the inspiration under which they were produced had passed away.

There is another and perhaps still more

curious feature of Shelley's poetry that illustrates the same want of critical vigilance and reflective scrutiny. We refer to his habit of unconscious plagiarism, of borrowing words, phrases, allusions, conceptions, and situations, from other poets without a word of acknowledgment, and evidently also without any perception at the moment that they are not his own. This singular habit has not, it seems to us, received from the critics the amount of notice and investigation it deserves. Almost the only allusion to it commonly made is the general statement that Shelley imitated Southey in the verse and in a few details of 'Queen Mab' and was influenced by Milton and Wordsworth in some of the reflective and descriptive passages of 'Alastor.' With regard to special instances of plagiarism, Mr. Rossetti, we believe, simply refers in general terms to one or two of the most glaring in the 'Cenci.' The truth is, however, that Shelley habitually borrowed from other poets, and phrases, images, and conceptions derived from writers of widely different schools are found scattered over his writings from the earliest to the latest. He himself tells us that he was a diligent reader of English poetry, and even apart from such express testimony, his writings afford ample evidence of the fact. The careful study of his poetical style and vocabulary would alone suffice to show his acquaintance with the great poets of each period of our literary history, except perhaps the earliest. The indirect evidence here supplied has, however, been in general overlooked, and never, so far as we aware, turned to anything like full account. One of his critics, in touching on his obligations to former writers, goes so far as to say that 'Shelley had not at any period of his life studied largely our elder writers,' adding that, 'at the time "Queen Mab" and "Alastor" were written, it is improbable that he had read any English poetry of an earlier date than that of the great poets of his own time.' But 'Queen Mab,' as we shall presently show, contains passages and forms of expression plagiarised from Pope, and Gray, and Collins, as well as from Milton and Shakspeare. And taking the evidence of language alone, it is clear, even from his earlier poems, that he was familiar with the great poets of the Elizabethan era—with Spenser and Shakspeare, Jonson and Fletcher, and with the one great poet who filled—and as Shelley himself says, illumined—the interval between them and the later period of Dryden and Pope. His early study of Spenser is reflected not only in the choice of the Spenserian stanza for his first considerable poem, and the high terms in which he speaks of it, but in the use of words and grammatical forms that are peculiar to Spenser. *Mage* for magician, and *archimage* for arch-magician, are well-known Spenserian terms, and Shelley describes the dwelling of the witch of Atlas as—

> 'Stored with scrolls of strange device,
> The works of some Saturnian *Archimage*.'

Again, amongst writers within the range of Shelley's reading, *glode* as the past tense of the verb to glide is, we believe, peculiar to Spenser, and used with some ambiguity even by him. We had imagined that amongst modern writers this form was peculiar to a single American humourist, and concluded that it must be the coinage of his curious brain. In describing a ball, Artemus Ward says he asked his partner 'if they should glide in the mazy dance,' adding, 'she sed we should, and we *glode*.' But the same form occurs three or four times in 'The Revolt of Islam,' and Shelley uses it in perfect good faith as a legitimate form of expression. While found in Chaucer and Gower, *glode* is, however, an archaism even in the 'Faery Queene,' from which it must have been borrowed by Shelley. Another thoroughly Spenserian word is *undight*, in the sense of undressed, or as applied to the hair, as Shelley applies it, in loose locks, dishevelled. The very phrase in which Shelley paints the rapt ecstasy of Cythna with countenance uplifted and 'her locks undight,' occurs in Spenser's description of Venus :—

> 'Her golden lockes, that late in tresses bright
> Embreaded were for hindering of her haste,
> Now loose about her shoulders hung *undight*
> And were with sweet Ambrosia all besprinckled light.'

There are other Elizabethan words and phrases used by Shelley, such as *foison*, plenty, grain, colour, *swink*, labour, *eyen*, *treen*, for eyes and trees, which, though not peculiar to Spenser, were probably derived from him. The proof from Shelley's language of his acquaintance with Shakspeare is still stronger and more decisive. Shelley has a number of unusual words, which if not exclusively Shakspearian, are used in senses peculiar to Shakspeare. In the 'Prometheus,' for example, in the dialogue between the two fauns, the second gives, as a reason for hurrying away,—

> 'But should we stay to speak, noontide would come,
> And *thwart* Silenus find his goats undrawn,
> And grudge to sing those wise and lovely songs
> Of fate, and chance, and God, and Chaos old,
> And love, and the chained Titans' woful doom.'

Now, although the adjective *thwart* occurs in Spenser and Milton in the literal sense of transverse, we believe its figurative use to express what is morally perverse, a cross-grained crooked temper, is, amongst the Elizabethan writers, peculiar to Shakspeare. It is indeed used in the same sense by Gavan Douglass and older Scotch writers, a sense exactly equivalent to the Scotch word *thrawn;* but Shelley undoubtedly derived the word from Shakspeare. Again, in the 'Epipsychidion,' we have the following passage:—

'The destined star has risen
Which shall descend upon a vacant prison.
The walls are high, the gates are strong, thick set
The sentinels—but true love never yet
Was thus constrained; it overleaps all force;
Like lightning, with invisible violence
Piercing its *continents.*'

Dr. Johnson, in noticing the unusual meaning of the word *continent* as that which holds or contains, suggests that the word in this sense is peculiar to Shakspeare, and although this is not the case, Shakspeare often so uses it, and it must have been from him that Shelley derived it. Again in the 'Sensitive Plant,' after a description of the poisonous blight and killing vapours that had blasted the beauty of the garden, we have:—

'The Sensitive Plant, like one *forbid*
Wept, and the tears within each lid
Of its folded leaves, which together grew
Were changed to a blight of frozen glue.'

The phrase, 'like one forbid,' here means, like one prayed against, accursed, like one under a malediction, the word 'forbid' in this sense being derived from Shakspeare's use of it in 'Macbeth.' Other words used by Shelley with Shakspearian meanings are *speculation* in the literal sense of sight, *gulf* in the sense of gaping mouth and jaws; *ravin*, booty or prey; and *rouse*, a foaming bumper, noisy health-drinking, or convivial bout. The two latter, it is true, are not restricted to Shakspeare, but he is the author from whom Shelley most probably obtained them. The Miltonic words and compound epithets in Shelley are quite as numerous as the Shakspearian and more easily recognised. We may give as examples, *quips and cranks*, *imparadise*, *low-thoughted*, *unessential*, *frequent* in the sense of crowded, and *distinct* in the sense of adorned, decorated. One of the most curious of these borrowed epithets is *inessential*, Shelley in adopting Milton's *unessential night* having changed it into *inessential naught*. The term *unessential* has not, as it seems to us, been adequately explained by any of Milton's commentators. *Essence* was a technical term in the schools, and in philosophical language for vital form, that which out of a primitive matter differentiates various kinds of existence, making each thing to be what it is. *Unessential* is thus formless, void of distinctive being, chaotic. Curiously enough, in his first use of the epithet in 'Queen Mab,' Shelley applies it to the substance rather than to the form, but in 'The Revolt of Islam' the phrase *inessential naught* is more correctly used to designate the primitive chaos out of which definite existences or forms of being arose. While Shelley's poetical vocabulary thus betrays his acquaintance with the great poets of the Elizabethan and the succeeding age, his poetical style, especially in his early works, shows a familiarity with Pope and the poets of the eighteenth century. Apart from the plagiarised passages from Pope and Gray, the didactic and rhetorical parts of 'Queen Mab' exhibit the influence of Akenside, Collins, and Thomson, especially the two latter. Even in 'Alastor,' where Shelley is so thoroughly on his own ground, and where the higher qualities of his genius come out in such characteristic forms, there are very distinct traces of the same school. One mark of this influence is the personification of abstractions in the poem in such lines as 'Ruin calls his brother Death'—

'And Silence, too enamoured of that voice,
Locks its sweet music in her rugged cell.'

But though Shelley was in this way acquainted with most of the greater English poets, it is abundantly clear that he went through them in a vital and impassioned rather than in a reflective or critical manner. He had devoured rather than studied them. In a word, he had read their poetry as he composed his own, under conditions of imaginative excitement that enabled him rapidly to realise the substance, to assimilate the leading emotional and ideal conceptions, without paying any separate or minute attention to details of form and phraseology. His own account of his poetical studies brings this clearly out. 'The poetry of ancient Greece and Rome,' he says, 'and our own country, has been to me like external nature, a passion and an enjoyment. I have considered poetry in its most comprehensive sense, and have read the poets, and the historians, and the metaphysicians whose writings have been accessible to me, and have looked upon the beautiful and majestic scenery of the earth as common sources of those elements which it is the

province of the poet to embody and combine.' Here we see that the reading of poetry was with him a passion and an enjoyment rather than in any distinctive sense a critical study or an artistic discipline. This largely helps to account for his habitual plagiarisms, which at first sight appear almost inexplicable. While as the result of his passionate communion with great poets, their thoughts and images would become part of his intellectual life, he still had not studied them with sufficient care to fix their verbal forms consciously in his memory. But it is certain that in a mind like Shelley's many of their most striking phrases, images, and allusions would be retained, and when suggested in moments of inspiration amidst a crowd of kindling fancies, it is quite conceivable that he might adopt them at once without the least suspicion of their true origin. That he was not conscious of any definite or detailed obligations to other poets is abundantly clear from his own testimony, as well as from the internal evidence afforded by the poems themselves. In the preface to 'The Revolt of Islam' he says:—'I do not presume to enter into competition with our greatest contemporary poets. Yet I am unwilling to tread in the footsteps of any who have preceded me. I have sought to avoid the imitation of any style of language or versification peculiar to the original minds of which it is the character, designing that even if what I have produced be worthless, it should still be properly my own.' This frank and modest statement is perfectly just, and it applies substantially to all that Shelley has written. There never was a poet more thoroughly individual, more nobly independent, more completely free from the conscious imitation of any master or the mannerism of any school. In relation to the great body of his poetry, the unconscious plagiarisms we have referred to are mere specks on its rounded translucent orb of ethereal song. Like his own nightingale, he sings out of the fulness of a heart overcharged with intense and melodious feeling. And if he sometimes seem to rise in company with other singers, he is no sooner on the wing than he soars away to the central blue, and sings apart, filling the entire hemisphere of his thought with aërial music. The plagiarisms are to be regarded rather as psychological curiosities than as serious blemishes in his work. In this personal point of view they are, however, of great interest. The marvel is, how it comes to pass that Shelley's borrowing from other poets can be at once so frequent and direct and at the same time so entirely unconscious. What we have already said may help in general to explain this, and a few special illustrations will complete the proof of each point. Both aspects of the psychological problem attain to something like a climax, and are illustrated *in excelsis*, in the 'Cenci.' It contains perhaps the most numerous and flagrant plagiarisms, especially from Shakspeare, to be found in his poems; and in the preface he is careful to acknowledge having taken a single idea in one of the speeches from Calderon, adding emphatically that it is 'the only plagiarism that I have intentionally committed in the whole piece.' Yet there are in the drama not only memorable lines, phrases, and allusions, but parts of scenes and striking situations, taken directly from Shakspeare. It is difficult adequately to represent this without more space than we have at command, because the Shakspearian element, though sometimes present throughout entire scenes, is so broken up, distributed, and wrought into the very substance of Shelley's own work, as to require careful comparison and analysis for its full development. This detailed illustration is, however, the less necessary, as some of the more striking plagiarisms in the 'Cenci' from 'Othello,' 'Lear,' 'King John,' and 'Richard III.' were given some years ago in an interesting paper entitled 'Some Notes on "Othello,"' in the 'Cornhill Magazine.' The writer does not, however, notice the plagiarisms from 'Macbeth,' 'Hamlet,' the 'Merchant of Venice,' and the 'Sonnets,' some of which are equally striking. Take the following for example from the murder scene in 'Macbeth':—

'He is about it.
The doors are open, and the surfeited grooms
Do mock their charge with snores. I have drugg'd their possets,
That death and nature do contend about them,
Whether they live, or die.
Macb. (*Within.*) Who's there?—what, ho!
Lady M. Alack! I am afraid they have awak'd,
And 'tis not done:—the attempt, and not the deed,
Confounds us.—Hark!—I laid their daggers ready,
He could not miss them.—Had he not resembled
My father as he slept, I had done't.—My husband!

Enter MACBETH.

Macb. I have done the deed.—Didst thou not hear a noise?
Lady M. I heard the owl scream, and the crickets cry.
Did you not speak?
Macb. When?
Lady M. Now.
Macb. As I descended?

Lady M. Aye.
Macb. Hark!
Who lies i' the second chamber?
Lady M. Donalbain.

. . . . .

Macb. There's one did laugh in's sleep, and one cried "murder!"
That they did wake each other: I stood and heard them;
But they did say their prayers, and address'd them
Again to sleep.'

Compare with this the following from the fourth act of the 'Cenci:'—

'*Olimpio.* Is he asleep?
Marzio. Is all
Quiet?
Lucretia. I mixed an opiate with his drink:
He sleeps so soundly—
Beatrice. That his death will be
But as a change of sin-chastising dreams.

. . . . .

Lucretia. They are about it now.
Beatrice. Nay, it is done.
Lucretia. I have not heard him groan.
Beatrice. He will not groan.
Lucretia. What sound is that?
Beatrice. List! 'tis the tread of feet
About his bed.
Lucretia. My God!
If he be now a cold stiff corpse—
Beatrice. Oh! fear not
What may be done, but what is left undone.
The act seals all.

Enter Olimpio *and* Marzio.

Is it accomplished?
Marzio. What?
Olimpio. Did you call?
Beatrice. When?
Olimpio. Now.
Beatrice. I ask if all is over.
Olimpio. We dare not kill an old and sleeping man.

. . . . .

Marzio. But I am bolder, for I chid Olimpio.
My knife
Touched the loose wrinkled throat, when the old man
Stirred in his sleep, and said, "God! hear, oh hear,
A father's curse! What, art thou not our father?"
And then he laughed. I knew it was the ghost
Of my dead father speaking through his lips,
And could not kill him.'

Another instance of direct borrowing from 'Macbeth' occurs in the scene which follows that just quoted. The murderers having retired to the chamber and executed their bloody work, Beatrice exclaims:—

'The deed is done,
And what may follow now regards not me.
I am as universal as the light;
Free as the earth-surrounding air: as firm
As the world's centre. Consequence to me,
Is as the wind which strikes the solid rock,
But shakes it not.'

Macbeth, when he finds the bloody deed not completely done, Fleance having escaped the murderers' hands, says:—

'Then comes my fit again. I had else been perfect;
Whole as the marble, founded as the rock;
As broad and general as the casing air;
But now, I am cabin'd, cribb'd, confin'd, bound in
To saucy doubts and fears.'

Another example from 'Macbeth' occurs in the first scene of the same act in the soliloquy of the 'Cenci' going over in thought the villany on which he was resolved:—

'O multitudinous hell, the fiends will shake
Thine arches with the laughter of their joy!
There shall be lamentations heard in heaven
As o'er an angel fallen; and upon earth
All good shall droop and sicken, and ill things
Shall with a spirit of immortal life
Stir and be quickened.'

Most of our readers who are familiar with 'Macbeth' will probably recall the passage in which, contemplating the murder of Banquo, now near at hand, he says:—

'Come, seeling night,
Skarf up the tender eye of pitiful day;
And, with thy bloody and invisible hand,
Cancel, and tear to pieces, that great bond
Which keeps me pale!—Light thickens; and the crow
Makes wing to the rooky wood;
Good things of day begin to droop and drowse;
Whiles night's black agents to their prey do rouse.'

We must be satisfied with these detailed illustrations from a single play of Shakspeare's, though more than half-a-dozen are laid under contribution in the 'Cenci.' The plagiarisms from 'Othello' and 'Lear' are, perhaps, more verbally direct and striking than those from 'Macbeth,' but it is clear that many scenes and suggestions from the latter play were running in Shelley's mind during the composition of his terrible drama. There are, however, quite as many borrowed passages in Shelley's early works as in his later. We have marked upwards of a dozen instances in 'Queen Mab,' and only regret that we cannot give in detail these curious examples of Shelley's transference and adaptation of passages from Pope and Collins and Gray, as well as from Shakspeare and Milton. Those who are curious on the point, may, however, be briefly referred to one or two

examples. The passage beginning 'Throughout these infinite worlds of mingling light' is in part borrowed from the fine lines in the 'Essay on Man,' beginning 'All are but parts of one stupendous whole.' The king's imploring address to peace is an abstract of Henry the Fourth's apostrophe to Sleep; parts of the splendid imagery employed in describing 'Mab's ethereal palace' were evidently suggested by the cloud-pavilioned temple of freedom in Collins's 'Ode to Liberty;' while the ten lines beginning 'How many a rustic Milton,' are a rather barefaced expansion of a celebrated verse in Gray's Elegy.

We must devote the remainder of our space to a brief notice of some points in which Mr. Rossetti's work as editor appears to us open to criticism. The changes he has introduced into the text may be ranked under the three heads of punctuation, printing, and conjectural emendation. In each of these directions he has made a number of alterations, some of which appear to us of a very questionable kind. With regard to the first point, Shelley's own punctuation is extremely loose, and he shows a partiality for dashes which is generally a sign of unsettled views on the whole subject. But, lax as Shelley's pointing is, we must say we very much prefer it in the main to the stiff, pedantic, and intensely self-conscious punctuation which Mr. Rossetti often substitutes in its place. As a rule Mr. Rossetti's punctuation is much heavier than Shelley's, but he is not consistent even in this, for while he constantly substitutes colons and semicolons where Shelley only has commas, on the other hand he sometimes abolishes Shelley's commas, leaving the line or couplet without any point or stop at all. Mr. Rossetti show another symptom of a mind morbidly excited about punctuation, if not hopelessly given up to extreme views on the subject. He is very fond of parentheses, and introduces them where they are not in the least required, where they do not help the sense, and are a mere disfigurement to the page. Some of Mr. Rossetti's changes in Shelley's punctuation effect, however, important alterations in the sense, and these are in many cases by no means happy, while in more than one instance they have simply effaced some profounder touch of feeling, or refined stroke of descriptive truth. A single example must suffice, though many might easily be given. The second canto of 'The Revolt of Islam' closes with the following stanza, describing the effect of Cythna's self-sacrificing resolve to separate for a time from Laon in order to carry out more effectively the great object of their lives:—

'I could not speak, tho' she had ceased, for now
The fountains of her feeling, swift and deep,
Seemed to suspend the tumult of their flow;
So we arose, and by the star-light steep
Went homeward—neither did we speak nor weep,
But pale, were calm with passion—thus subdued
Like evening shades that o'er the mountains creep,
We moved towards our home; where, in this mood,
Each from the other sought refuge in solitude.'

Here in the sixth line, Mr. Rossetti, in common with the later editions, inserts a full stop after the word calm, on the ground, possibly, that to be calm with passion is a contradiction, while on the other hand, strong passions are generally succeeded by a reaction more or less depressing. But Shelley's punctuation brings out the higher truth that extremes meet, that nothing produces a profounder calm than intense passion, especially of a noble kind. This is a truth, moreover, which Shelley is specially fond of emphasising. He dwells upon it in his beautiful description of Raphael's St. Cecilia, and the passage affords a key to more than one description of the effect of high-wrought passion in his poetry. 'The central figure, St. Cecilia, seems rapt in such inspiration as produced her image in the painter's mind; her deep, dark, eloquent eyes lifted up; her chesnut hair flung back from her forehead—she holds an organ in her hands—her *countenance, as it were, calmed by the depth of its passion and rapture*, and penetrated throughout with the warm and radiant light of life. She is listening to the music of heaven, and, as I imagine, has just ceased to sing.' We can have no doubt that in the stanza we have quoted, Shelley's own punctuation brings out his real meaning. He evidently intends to say that Laon and Cythna were calmed by the very intensity of the passion which possessed them, and which for the time absorbed every other thought and feeling.

With regard to the mere printing of the text, Mr. Rossetti has in many places abolished Shelley's initial capital letters, and in others introduced them where the original has no such distinction. In the beginning of the third scene of the first act of the 'Cenci' the original edition has,

'Princes and Cardinals, pillars of the church.'

Here Mr. Rossetti gives initial capitals to both pillars and church, on what principle we do not understand, and we certainly prefer Shelley's own printing. The editor has,

moreover, in some places changed Shelley's spelling in a way that seems to us capricious, and affected if not unintelligible, as for example Cachmire instead of Cashmire. But our greatest quarrel with Mr. Rossetti is on the score of his printing words in italics at his own pleasure, without the least authority from Shelley or any other source. This offence, so far as we have noticed, is indeed restricted very much to the 'Cenci,' but there it is flagrant and abounding. In carrying this noble drama through the press, the editor seems to have been seized with a sudden passion for emphasising in this weak way, all the pronouns and auxiliary verbs that struck his fancy. The result is, that there are in Mr. Rossetti's edition upwards of a dozen of these indispensable words printed in italics without any authority at all for such an unwarrantable innovation. In the first scene of the first act Shelley himself, it is true, prints a single pronoun in italics for an obvious reason. But this is, we believe, the only instance in the play, the numerous other words printed in a different type having been selected for this distinction by the editor himself. We must protest most energetically against this procedure as an intolerable liberty for any editor to take with an author. Fancy Shakspeare, or Milton, or any great English classic, edited in this way, with a different type for all the words and phrases which the editor might choose to consider peculiarly emphatic. The emphasis would probably be often wrong, as we think it is in many of the cases in question. But this is of comparatively little importance. The outrage lies in the thing itself, and it is in our view one of a very unpardonable kind. It is the officious intrusion of the editor's personality into the very text of the author that constitutes the offence; the imposing of his peculiar interpretation, often of course narrow and mistaken, not only on the reader, but on the poet himself, that is on all grounds so reprehensible. But, apart from this fatal objection in principle, the intrusion of a different type is practically offensive to all readers of intelligence. The general use of italics for the mere purpose of emphasis is the well-known resource of forcibly feeble writers whether in prose or verse, and except for a special practical object, such a blemish ought not to disfigure any finished literary work. It is commonly an attempt to supply mechanically certain intellectual and literary deficiencies, and too often indicates, not only that such deficiencies exist, but that the writer himself has a kind of uncomfortable semi-consciousness of their presence. It is, in short, an essentially feminine device for giving artificial weight to weak thought and ineffective expression. And in reading a great poem like the 'Cenci,' such an element of triviality produces a momentary shock, a painful jar of feeling. You intensely resent the prosaic intrusion, the didactic and self-satisfied pointing of the editor's finger, as much as to say, 'mark in the lines before you the important distinction between *you* and *I*, *have* and *had*, *could* and *would*.' You are angry at the trivial impertinence, and resent the unseasonable interruption. This is the natural feeling, though we are far from saying it ought to be extended in all its force to Mr. Rossetti himself. He is incapable of offering any intentional slight to Shelley, or of consciously interfering with the reader's enjoyment of his poetry. But we must express our unmixed surprise that, even by inadvertence or mistake, such an outrage should have been committed by Mr. Rossetti —above all, upon a poet like Shelley. And we earnestly hope that in any future edition Mr. Rossetti will purge away all traces of this literary guilt.

We must glance for a moment at a few of the verbal difficulties that occupy so large a space in Mr. Rossetti's notes, as well as at some of the emendations he has introduced into the text. With regard to the latter we are strongly of opinion that all important changes in the text should be indicated by the use of brackets, or some such device. No doubt a good deal may be said for the plan Mr. Rossetti has followed, of relegating all notice of verbal changes to the end of the volumes, and giving no indication of them in the text itself. But the question is in our view not so much one of taste or feeling as of literary jurisdiction. It seems to us that an editor has no right to thrust his own conjectures into the text without any mark or note of warning as to their true character. Leaving this, however, we must turn to the textual changes themselves. We have already spoken of the critical industry and intelligence which Mr. Rossetti has displayed in this part of his work. But there is still a good deal to be done. Even in the preparatory part of an editor's work—that of comparing the first editions with the later ones —his labours are not exhaustive or complete. He has overlooked or neglected some of the better readings which the first editions supply. At the commencement of the fourth canto of 'The Revolt of Islam,' for example, is the following stanza which we give as Mr. Rossetti prints it:—

'The old man took the oars, and soon the bark
Smote on the beach beside a tower of stone.
It was a crumbling heap whose portal dark
With blooming ivy-trails was overgrown;

Upon whose floor the spangling sands were strown,
And rarest sea-shells, which the eternal flood,
Slave to the mother of the months, had thrown
Within the walls of that *great* tower, which stood
A changeling of man's art nursed amid nature's brood.'

Here instead of *great*, the first edition gives *grey*, which is evidently a more appropriate word as applied to a crumbling heap of stone partially buried in the sand, the portal overgrown with ivy, and the mouldering walls so like in colour to the neighbouring cliffs, the rock-built barrier of the sea, that it stood 'a changeling of man's art nursed amid nature's brood.' Again in Orsini's speech at the end of the second scene of the first act of the 'Cenci,' the following passage occurs:—

'Old men are testy, and will have their way.
A man may stab his enemy or his *vassal*,
And live a free life as to wine or women,
And with a peevish temper may return
To a dull home, and rate his wife and children;
Daughters and wives call this foul tyranny.'

Here the original edition has *slave* instead of *vassal*, a manifest improvement in metre, and, as it seems to us, in sense as well. These readings, and others of the like kind, Mr. Rossetti seems to have overlooked, as he does not refer to them in any way. There are other minor points of difference in the first editions of which Mr. Rosetti takes no notice. In 'Alastor,' for example, referring to the spirit of the wind, the first edition has 'in *its* career' instead of 'in *his* career.' Again in the following passage:—

'There, huge caves,
Scooped in the dark base of *those* aëry rocks,
Mocking its moans respond and roar for ever'—

the first edition has *their* rocks, which is an improvement, no rocks having been previously mentioned in the immediate context. Other original readings which seem to us improvements Mr. Rossetti rejects upon what appear to us insufficient grounds, such as 'herself a poet' instead of 'himself a poet.' Here the reading *herself* seems on all grounds distinctly preferable. It would be useless and therefore tautological to describe the youth as a poet, that having been abundantly done already. But it is important to add this in regard to the veiled maiden in order to complete the kindredship of spirit between them, and make her the perfect realisation of the poet's highest ideal. This vital point of sympathy helps to explain the sudden and intense passion with which she had inspired him, and is further illustrated by what follows. Her ardent thoughts, we are told, kindled into 'wild numbers' which she sang to unseen music, her beating heart and rapid breath timing themselves with 'the pauses of intermittent song.'

While thus overlooking or neglecting some of the helps which the original editions afford, Mr. Rossetti has at the same time artificially increased the hindrances in the way of a more accurate text. He has in some cases created difficulties where none exist, and made conjectural emendations where none were needed, and in more than one instance he has actually introduced into Shelley's correcter text original errors of his own. As an illustration of artificial difficulties we may take the following passage from the 'Prometheus.' It refers to the spirit voices heard in the solitary woods when the 'voluptuous nightingales' are mute:—

'When there is heard through the dim air
The rush of wings, and, rising there
Like many a *lake-surrounded* flute,
Sounds overflow the listener's brain
So sweet that joy is almost pain.'

On the third line Mr. Rossetti remarks: 'The epithet seems to me void of meaning. I can hardly doubt its being a misprint. The original edition of "Prometheus Unbound" (1820) gives "lake-surrounding," which is not any more intelligible. A friend has suggested to me as an emendation "lake-resounded." This is at any rate plausible, but I have not ventured to introduce it into the text.' There is really, however, no difficulty in the passage at all, lake-surrounded flutes being simply flutes playing in a boat or on an island in the midst of a lake, the tranquil expanse of water adding to the liquid sweetness of the notes. The mellow tones and emotional effect of sweet music are notoriously increased when it is heard on the distant shore across a quiet sweep of water, and this peculiar effect is secured in the highest degree by placing the music on a lake-surrounded spot. Such a device for intensifying the effect of musical sounds is indeed a favourite one with the poets. Fitz James for example, in the 'Lady of the Lake,' when Loch Katrine bursts on his view and he sees Helen's wooded isle resting on its unruffled bosom, exclaims:—

'How blithely might the bugle-horn
Chide, on the lake, the lingering morn!
How sweet, at eve, the lover's lute
Chime, when the groves were still and mute.'

Shelley himself was especially fond of such musical effects, and he may have derived from this very passage the image and the

epithet that have occasioned his editor so much perplexity. Mr. Rossetti finds, or rather creates, a difficulty in another passage of the 'Prometheus' occurring in the scene between Asia and Panthea, of which the burden is 'follow, follow:'—

'Low, sweet, faint sounds, like the farewell of ghosts,
Were heard: "O follow, follow, follow me!"
And then I said, "Panthea, look on me:"
But in the depth of those beloved eyes
Still I saw "follow, follow!"
Echo. Follow, follow!
Panthea. The crags, this clear Spring morning, mock our voices,
As they were spirit-tongued.
Asia. It is some *being*
Around the crags. What fine clear sounds! O list!'

On this thoroughly Shelley-like description of the voiceful echoes of the crags the editor remarks: 'I suspect around for being a misprint for either among or amid; some "being around the crags" would be a curious sort of being.' We must say this strikes us as being a singularly prosaic and irrelevant commentary. In a drama like the 'Prometheus,' pervaded with elemental life, diffused natural powers, and formless spiritual essences, it is surely a vulgar error to interpret the term *being* in such a connexion not only as an individual, but as an individual locally defined and possessing a material body. The term *being* is undoubtedly here used by Shelley in a generic sense, and means that vital presences, viewless, intangible, and undefined, are around the crags, their immaterial essence and inorganic voices being felt and heard on every side. Mr. Rossetti's interpretation destroys at once the poetry and meaning of the passage, reducing the wild and multitudinous echoes simultaneously heard to a single material centre instead of investing them for the time with spiritual life and activity. Another needless difficulty seems to us raised in the seventh canto of 'The Revolt of Islam,' where after their long separation Cythna, on her swift recollection of the past, looks suddenly into Laon's face with anxious scrutiny:

'Then Cythna did uplift
Her looks on mine as if some doubt she sought to shift.'

'We may surmise,' says Mr. Rossetti, 'that this *shift* was inadvertently substituted for *sift*, which seems the more natural term.' But shift is surely the right word, used here in the same sense as remove, get rid of, and this is confirmed by the line which immediately follows. Cythna sought to remove some doubt that suddenly crossed her mind, but it would not flee.

In the examples just given Mr. Rossetti has simply raised difficulties without altering the text, but in other cases he has introduced conjectural emendations where it seems to us none are needed. The last stanza in the third canto of 'The Revolt of Islam,' for example, is as follows:—

'And then the night-wind *steaming* from the shore,
Sent odours dying sweet across the sea,
And the swift boat the little waves which bore
Were cut by its keen keel, though slantingly;
Soon I could hear the leaves sigh, and could see
The myrtle-blossoms starring the dim grove.
As past the pebbly beach the boat did flee
On sidelong wing into a silent cove,
Where ebon pines a shade under the starlight wove.'

On the first line Mr. Rossetti remarks, 'Surely this ought to be *streaming*,' which he accordingly substitutes for 'steaming' in the text. But we have little doubt Shelley wrote *steaming*, the word being quite in harmony with his fondness for describing the dew mists that arise at sunset on the sudden lowering of the temperature. These mists, mingled with silvery exhalations and touched by odorous winds, would be vividly and accurately described by the epithet steaming. The context supports this interpretation, the same odorous night-wind being described a few lines further on as the dewy breeze.

Again, Mr. Rossetti mars the beauty and expressiveness of one of the most exquisite lines in the 'Skylark,' by adopting a conjectural emendation unhappily suggested by the late Professor Craik. In the first edition the third verse is as follows:—

'In the golden lightning
Of the sunken sun,
O'er which clouds are brightning,
Thou dost float and run;
Like an unbodied joy whose race is just begun.'

In quoting the poem Professor Craik changed *unbodied* into *embodied*, adding that the latter was 'undoubtedly the true word, though always perverted into *unbodied*,—as if a joy were a thing that naturally wore a body.' This is just the smart but superficial kind of criticism that readily convinces prosaic minds, and is at once accepted by careless and unimaginative readers. To our great surprise, however, it seems to have satisfied Mr. Rossetti. At least, as in other cases where he has adopted the suggestions of previous critics, he has become accountable for the

change by introducing it into the text. That any responsible editor should have given this kind of sanction to such a reading is on all accounts to be regretted. In the first place, Shelley's text ought never to be abandoned except on very strong grounds; and the reasons in this case, instead of being in favour of the change, are all against it. Professor Craik says, in support of his conjecture, 'as if joy were a thing that naturally wore a body.' But in reality joy usually has a body, and a very visible one. It manifests itself by corporeal signs and gestures of a very obvious and distinctive kind, and is universally known and recognised by these signs. Almost the only exception to this law of visible embodiment is that of sweet and thrilling vital sounds when the source whence they flow is unseen. In this case, while the sounds are felt to be full of rapture, or at least of conscious enjoyment, still the enjoyment is not embodied in any visible or tangible shape. This spiritual character of the Skylark's singing is the very key-note of Shelley's poem, struck in the first stanza, and maintained through all its marvellous combinations of musical thought, and imagery, and emotion, to the very close. The fatal objection to the proposed change is, that it is completely at variance with the whole feeling, as well as with the entire conception of the poem, that it reverses the very epithet by which in this particular stanza that conception is most vividly expressed. At the outset, Shelley addresses the skylark as a spirit singing in the pure empyrean, and ever soaring nearer to heaven's gate as she sings. He then apostrophises the emancipated soul of melody on the celestial lightness and freedom in which it now expatiates. To the swift sympathetic imagination of the poet, the scorner of the ground, floating far up in the golden light, had become an aërial rapture, a disembodied joy, a 'delighted spirit,' whose ethereal race had just begun. This is a representation at once profoundly poetical and profoundly true. But its force and consistency is destroyed by the so-called emendation. The passage from the 'Witch of Atlas,' quoted by Professor Craik in support of the change, is irrelevant, the object of the poet in the two cases being wholly different. The conception in the 'Skylark,' instead of being, as Professor Craik says, 'of the same kind' as that in the 'Witch of Atlas,' is indeed exactly the reverse. In the 'Witch of Atlas' an invisible power is described as assuming a material form; while in the 'Skylark' a material form vanishes in light and sound. In the former, spirit becomes body; in the latter, body becomes spirit; and the epithet *embodied* is thus as necessary and appropriate in the one case as *unbodied* in the other. But if authority were really needed for the phrase 'unbodied joy,' it is to be found in Byron, of whose poetry Shelley was a constant reader and a great admirer. Manfred, on hearing the shepherd's pipe amidst the mountains in the early morning, exclaims:—

> 'Hark! the note,
> The natural music of the mountain reed.
>
> . . . . .
>
> My soul would drink these echoes.—Oh, that I were
> The viewless spirit of a lovely sound,
> A living voice, a breathing harmony,
> A *bodyless enjoyment*—born and dying
> With the blest tone which made me!'

This passage shows how naturally sweet music awakens this kind of spiritual yearning, the desire to escape from the cumbrous conditions of mortality, to throw aside 'this muddy vesture of decay,' and share in the 'unbodied joy' which such strains seem for the moment to reveal and express.

Mr. Rossetti destroys the meaning and imagery of another verse in the same beautiful poem, by adopting the punctuation suggested by Professor Craik. The second verse of the 'Skylark,' as Shelley points and prints it, is—

> 'Higher still and higher
> From the earth thou springest
> Like a cloud of fire;
> The deep blue thou wingest,
> And singing still dost soar, and soaring ever singest.'

Here Mr. Rossetti, following his unfortunate guide, removes the semicolon from the end of the third to the end of the second line. In doing this he could hardly have examined with any care either the context or the reasons given by Professor Craik in favour of the change. These reasons, though stated in a detailed and confident manner, are throughout grounded on mere confusion and mistake. In criticising the punctuation of the verse, Professor Craik says—

> 'Very absurdly the cloud of fire which the bird has become in the poet's imagination is, by the removal of the semicolon from its proper place at the end of the second line to the end of the third, represented, not as soaring in the deep blue of the sky, but as springing from the earth—which is what nobody ever saw a cloud do; not a cloud of fire, or a cloud glowing with coloured radiance at any rate; and would, besides, give us as forced and false an image of a lark commencing its ascent as could be well put into rhyme or into words—for the cloud of fire was only, according to this pointless pointing, the appearance which the bird presented (and which yet it never could have presented) when rising from the earth.'

The whole of this reasoning, and there is more to the same effect, rests on the assumption that in the second verse the lark is described as leaving the ground. This is, however, a complete mistake, the critic having failed to notice that in the opening verse of the poem the lark, when first addressed by the poet, is already far up the sky; and that in the second verse she still continues to ascend further and further from the earth, higher and higher into the air. The image, 'like a cloud of fire,' applies not to the appearance of the bird at all, as Professor Craik supposes, but to the continuous motion upward, for the obvious reason that 'fire ascending seeks the sun.' The assumption on which it rests being thus an error, the whole reasoning falls to the ground, and with it any show of plausibility for the change. Indeed, the altered punctuation of the verse, and its interpretation, simply blur the pure and delicate outlines of the poet's glowing picture, reducing his lucid thought and vivid imagery to a confused and inconsistent jumble. These examples well illustrate the danger attaching to the conjectural emendation of Shelley's poetry. Professor Craik was an accomplished English scholar, and his verbal criticisms are usually sound, as well as ingenious and acute. But Shelley, more than any other modern English poet, requires to be carefully studied before his refinements of thought and niceties of language can be fully understood or perfectly explained. The thought, while exquisitely articulated, is often so complex and subtle, and the feeling, though deep and strong below, has so many swift and brilliant changes on the surface, catching 'at every turn the colours of the sun,' that his more important poems cannot be adequately realised or interpreted without profound and sympathetic study. While this holds true of his poetry in general, it applies with peculiar force to its more obscure and difficult passages. In these the poet's meaning must be grasped as perfectly as possible before the critic attempts to correct what he may regard as imperfect or faulty in expression. Mr. Rossetti is not always sufficiently careful in this particular. In many cases he has not gone through the preliminary labour essential to success in the work of critical revision. The result is a want of due reverence for the author's text, and the introduction of needless and therefore injurious alterations. The criticisms we have offered are in the main vindications of Shelley's own text from the destructive inroads of confident but rash conjecture.

We have no space to illustrate further the imperfections still attaching to Mr. Rossetti's work. It is, however, in the main, as we have already said, well done. Many of his verbal emendations are happy, and some may probably take rank as permanent improvements of the text. It will be seen, however, from what we have said that there is still critical work for the editor to do, and it must be carefully done before his volumes can be accepted as the standard edition of Shelley's poetical works.

Art. VI.—1. *Sessional Papers of the Reichstag or Diet of the North German Bund.* First Legislative Term. Second Extraordinary Session of 1870. Nos. VI., IX., and XII. Berlin: November, 1870.

2. *The Overthrow of the Germanic Confederation by Prussia in* 1866. By Sir Alexander Malet, Bart., K.C.B., late Minister Plenipotentiary at Frankfort. 8vo. London: 1870.

3. *Les Droits de l'Allemagne sur l'Alsace et la Lorraine.* Par Henry de Sybel. 8vo. Bruxelles: 1871.

4. *Réunion de l'Alsace à la France.* Par le Baron Hallez-Claparede. 8vo. Paris: 1844.

'In the sixteenth century,' says Sir William Stirling Maxwell, in a passage which we have quoted before, and are not unwilling to quote again, 'the office of Emperor was surrounded with august and venerable associations which we can now but imperfectly recall. Heir of the universal sway of Rome, the holder of it claimed to be the suzerain of all earthly kings. First and oldest of European dignities, its very name had a sound of majesty, which it has lost since it has been vulgarised by Muscovite and Corsican, by black men and brown men in the New World, and worst of all degraded by the House of Hapsburg-Lorraine itself, in the meaningless title of Austria and the bloody infamy of Mexico.' The title of Emperor took its origin in the death-throes of Roman freedom. It was first borne by rulers who were stained with the crimes of the Claudian and the Flavian Houses. It was then conferred on a series of military adventurers by the acclamations of a venal and profligate soldiery. It passed in due time to the stolid pomp and growing degeneracy of the Court of Byzantium. The imperial crown of the West was placed by Papal hands on the brows of the first victorious soldier, who combined the savage tribes of Northern Europe beneath his sway. It

was worn under varying fortunes by his successors for nearly a thousand years, and no doubt at one time it was regarded as the highest symbol of temporal power. The title was not inappropriately revived by Napoleon, when he had succeeded in trampling on the States of continental Europe. For always and everywhere it has been the symbol of despotic government and military strength, rather than of national rights or of freedom. Its strength, when it has been strong, was attested by acts of violence and oppression—by aggression on the territories of independent States, and by persecution of those subordinate princes and communities which held their authority in subjection to it. Its weakness, when it has been weak, proved infinitely more favourable than its strength to the liberties of Europe, in so much that the history of Germany for many centuries consisted in a continuous struggle to defend the rights of the Empire, and of the States belonging to the Empire, against the Emperors. The politics of Germany and of Europe, from an early period down to the Treaty of Westphalia, might justly be described as a protracted, and at last successful, effort to prevent the erection of one huge military monarchy in central Europe, under the imperial dignity which was then vested in the House of Austria; to resist the predominance of a power alike hostile to freedom and independence; and to limit the prerogatives of a crown which claimed a paramount authority over all cognate and allied States, for the purpose of reducing them to subjection, and of assailing and invading at pleasure the dominions of weaker nations. Some vestiges of this ancient tradition of foreign conquest survived even to our own time, for it was by virtue of this Imperial sway, which had outlived the Empire itself, that Austria continued, till within a very recent period, to hold Italy in chains and thraldom. The Emperors of Germany had done so for six hundred years. If then we are to look to the past to shed any light upon the future policy of the German Empire, whether at home or abroad, it is indeed, to borrow another expression from a celebrated article of this Journal, 'an ominous and evil name'—a name synonymous with the worst elements of human history, originating in bloodshed, appropriated by crime, dedicated to oppression. Cæsarism or Imperialism have become in our own days the last expressions of contempt to describe the degradation to which a great nation may be reduced by a long series of revolutions; and we should see no reason to admire them on one side of the Rhine more than on the other.

It was therefore with some surprise that the world learned that whatever else King William of Prussia might have taken in France, he should have thought it added anything to his own dignity to appropriate the crown and mantle of the Emperor he had just dethroned. Indeed the Prussians themselves were more astonished than pleased to find that they were henceforward to be the 'Kaiserlicks,' the nickname of their ancient enemies. The title of Emperor was not awarded to the King by the acclamations of a free people, by the vote of a national Diet, or even by the cry of a victorious army. It was obscurely tendered to him by a junto of small princes, who were trembling at the least sign of Prussian irritation, and whose armies were at that moment serving under his orders. In his eagerness to secure this singular prize, he did not even wait until he had returned with the spoils of an unparalleled campaign to his own northern capital; nay, it can hardly be said that the Empire of Germany had itself any legal character or existence when the Emperor was declared. With singular bad taste it was hastily inaugurated at Versailles. In his acceptance of the proffered crown, the King cautiously abstained from any reference to the past, present, or future rights and liberties of the German nation, and the same significant silence on this vital point prevails in the speech delivered to the Reichsrath from the throne on the 21st March at Berlin. He assumed the title as the reward of victory, conferred upon him by the assent of the princes serving in his armies; he described it as a pledge of the unity and military strength of Germany; and he intimated that it was his intention 'to restore or re-establish' (both words were used) the German Empire. When the doctors of the University of Bologna were ordered by the Emperor Frederic I. in the year 1158, at the Diet of Roucali, to define the rights of the Imperial Crown in Italy, they wound up a long enumeration of privileges and powers by these comprehensive words: 'Tua voluntas jus esto: sicuti dicitur quidquid Principi placuit legis habet vigorem.' The doctors of Berlin, assembled at Versailles, would probably not hold language so explicit; but we cannot discover in the report of their acts which is now before us, any effectual provisions to limit the power they are so anxious to create and to serve. We shall, however, revert to this part of the subject in the latter pages of this article.

There exists, we are well aware, in Germany a numerous, highly-instructed, and patriotic body of men who hail these

changes with great satisfaction as the noblest and best result of their recent success in war; who accept the title and authority of the Empire, not so much in memory of its past glories as in the hope of the services it may render in future to the unity of the nation; and who certainly believe that neither unity nor military power will promote the true welfare of the country and the general peace, unless they are based on free institutions. We sympathise to a great extent with these persons. We desire nothing so much as that the freedom and independence of the German people should eventually triumph over the military caste and the absolutist traditions of Prussia; and we trust that it is not impossible that this result may ultimately be arrived at. But at present everything in Germany seems to be moving in the opposite direction. The eminent military services rendered in the war by the princes and nobles of the land; the habits of authority and obedience engendered by military command; the overwhelming forces and money at the disposal of the governments; the passionate desire of national unity, which has led the Germans of the present day to cast aside with disdain many of those rights of independence which their forefathers struggled for centuries to obtain and defend; and the prestige of recent victory, all tend to throw a great advantage at the present time on the side of absolutism and aristocracy. The ministers and generals of the King of Prussia who have raised that sovereign to so exalted a position in Germany and in Europe are not men to cast aside this advantage. They have availed themselves of the national enthusiasm for unity to create a great power in the world; but they are for the most part the known enemies of popular rights and popular control; and on their return to their native country, when the severe pressure and constraint which they have maintained during the war is removed, they find themselves at the very outset of a political struggle, in which military and irresponsible authority will either have to submit to the just demands of liberal opinion or to confront them.* At present little has been done to settle on fixed and permanent principles the future government of Germany. The institutions which have been conceded by Prussia to the associated States now comprised within her dominions have yet to be put upon their trial. To assume an ancient title, to evoke the shadowy recollections of past ages, to determine by treaties between sovereigns the relations which are to combine their armies, is but a small step towards the great result. The future policy of the German Empire depends on the principles and institutions which are to govern it; and although, as we shall presently show, these bear some external resemblance to Federal ties, and even to a popular form of government, we have yet to learn the reality and sincerity of these provisions.

One thing is certain. In spite of the language of the King of Prussia at Versailles, he cannot 'restore or re-establish' the ancient German Empire. He might as well restore the Heptarchy. To attempt it would be an anachronism and an absurdity, if it were not an impossibility. For what was the German Empire? We will endeavour briefly to describe the principal traits in its constitution and history, which the Germans themselves in their present fit of enthusiasm appear to have forgotten.

The empire of Charlemagne was of short duration. It fell to pieces under his immediate successors. The crowns of Germany and France were divided; and on the extinction of the German branch of the Carlovingians, the States of Germany elected a chief of their own in the person of Conard of Franconia, who was succeeded (in the tenth century) by Henry of Saxony and the Othos his descendants. The great offices of the household and the fiefs of the Empire were granted at the pleasure of the sovereign, but they soon became hereditary and perpetual in certain families. They passed by descent, even through females. They were dealt with, and often subdivided, like family property. Under the emperors of the Franconian and Suabian lines, the power of the imperial crown was perpetually diminishing; that of the Church increased, and still more the independence of the nobles. They enacted laws, declared and carried on wars against each other, and exercised all the prerogatives of sovereignty. The Imperial Cities, which alone retained the principles of free government, rose into importance and became the seats of trade, wealth, and culture; but they owed little to the nominal protection of the Empire. It was not till the fifteenth century that the Emperor Maximilian succeeded in establishing a tribunal to restore and uphold public justice and order, and even in this court the territorial princes had a large share of power. The appearance and title of monarchical

* It deserves to be noted that the very first act of the constituency of Berlin, after the war, was to *reject* Generals Moltke, Werder, and Manteuffel as Parliamentary candidates; a striking proof of the determined hostility of the population of the capital to the military spirit of the government, and, as far as it goes, an encouraging symptom.

prerogatives in the emperor was more than counterbalanced by the authority of the princes and states in every act of administration. No law extending to the whole body could pass without the assent of the Diet, at which every prince and state of the Empire had a right to vote. The Empire was in fact a loose confederacy with a monarchical head. The members of this confederacy originally held their lands as fiefs of the Empire, but their political subjection was at an end, though the ancient forms remained. The Emperors themselves were still invested with the most pompous titles. They were served on occasions of state and ceremony by the princes of the land. But they had been gradually stripped even of their domains, which once extended along the Rhine from Basle to Cologne, and not a foot of land belonged to them in their imperial capacity. Their revenues decreased even more than their authority. Even their casual revenues were alienated or squandered.* Granvelle, the minister of Charles V., asserted in the year 1546, in presence of several of the German Princes, that his master drew no money at all from the Empire, and in fact for about 400 years the emperors depended solely on their hereditary dominions for the maintenance of their court and for their own subsistence.

The consequence of this state of things was, of course, that they looked mainly to foreign conquest, foreign spoliation, and foreign revenues to support their power. Italy was their constant victim and peculiar spoil from the days of Barbarossa downwards; and when the Imperial dignity passed, almost permanently, into the House of Austria, it derived its principal resources from the non-German possessions of that house, the rich Flemish inheritance of the Dukes of Burgundy, the Milanese, Naples, and Hungary, to which were added, under Charles V., Spain and the Indies. At home, in Germany, the Emperor was in reality powerless and poor. The exalted position he filled in Europe was mainly due to his strength and wealth as a foreign sovereign.

The constant policy of great rulers and politicians like Maximilian and Charles V. was to augment their own authority and to crush the independence of the territorial princes. But the Reformation gave fresh energy to those parts of Germany which embraced the new opinions, and at the same Diet of Worms where Luther confronted Charles, the Electors renewed the ancient confederation, known as the Electoral Union, for the maintenance of the privileges, the public liberties, and rights of the Empire, which was ever after regularly confirmed by the Capitulations on each successive Imperial election. The princes of the House of Austria represented the two-fold principle of the ascendency of the Empire and the domination of the Church of Rome. Happily for Germany and for Europe, neither cause prevailed. The contest which began by the League of Smalkalde may be said to have continued until the close of the Thirty Years' War, when the Peace of Westphalia, negotiated under the guarantee of France and Sweden, established those general conditions of the balance of power which have for more than two centuries been regarded as the basis of all succeeding general treaties, assisted the principle of religious toleration in Germany, and established, in a positive and precise form, the rights and liberties of all the members of the Germanic Empire.

That treaty was no doubt in great part the result of the policy of Richelieu and Mazarin, and it gave to France acquisitions of territory and a right of interference in the affairs of Germany, which Louis XIV. made the basis of an aggressive policy. When the possession of the three bishoprics of Toul, Verdun, and Metz, and of Alsace, was finally secured to France by that treaty, it was a question whether Louis XIV. should hold them in absolute sovereignty, or as fiefs of the Empire. The latter alternative would have given the French King a voice in the Diet at Ratisbon, and even made him eligible for the Imperial Crown, and it was on both sides rejected.

But as we have just seen that the power of the emperors in Germany owed much to the resources they drew from their foreign or hereditary dominions, so the princes and sovereign houses of Germany relied frequently and habitually on foreign alliances for the protection of their own rights. For example, on the 5th October, 1551, the allied Princes of the Protestant League, Maurice of Saxony, George Frederic of Brandenburg, John Albert of Mecklenburg, and William of Hesse, signed a treaty with Henry II. of France, by which they obtained the support of France in men and money against Charles V., and allowed the King to take possession of Cambrai, Toul, Metz, and Verdun, with a reservation of the rights of the Empire—an

* For example, in 1376 the emperor Charles IV., the author of the Golden Bull, promised each of the electors 100,000 crowns to elect his son Wenceslaus King of the Romans; but being unable to pay so large a sum, he alienated to the three Ecclesiastical Electors and the Count Palatine such countries as still belong to the Imperial domain on the banks of the Rhine, and made over to them the Imperial tolls in that district.

occupation confirmed and extended to actual sovereignty by subsequent treaties, and which was never impugned till the late war. Our own Queen Elizabeth said to Sully when she saw him at Dover, that to insure the liberties of Europe two things were to be done—to free the Low Countries from the dominion of Spain; and *to create on the Rhine an independent republic, with which Alsace and the country of Burgundy should be incorporated*, and that the Emperor should be compelled to renounce all his claims over the Swiss Cantons. Elizabeth had encouraged the Protestant Suabian League, and only three months before his death Henry IV. of France concluded a treaty of alliance with the Confederate Princes of the Palatinate, Brandenburg, Wirtemberg, Anhalt, &c. These instances may suffice, but they might be increased to any extent. Germany may have suffered much from the intrusion of foreign Powers in her internal affairs, but it was her own feeble and vicious constitution, and the mutual jealousies of her States and rulers, which were continually invoking foreign intervention. Spaniards, Italians, and Poles have marched under the standards of the Empire. Swedes, Danes, Dutch, English, under those of the Protestant Leagues. French troops, at different times, on one side and on the other. It is absurd to impute these invasions (as they have been termed) to hostility to Germany or to the mere objects of foreign ambition, when in fact they were loudly sought for, and frequently paid for, by German partisans. Germany has in all ages been the field of civil wars. The last of them took place only five years ago; and it is very possible that this may not prove to be the last. Civil wars naturally open the door to foreign intervention, and in the struggles carried on by the territorial princes against the Empire they constantly relied on foreign assistance. 'La Prusse,' says Frederic the Great in his 'Memoirs of the House of Brandenbourg,' 'avait besoin de s'épauler de la France ou de l'Angleterre.' Professor Ranke, the flower of Prussian historians, declares, in speaking of the great conflict of the Protestant Princes against the House of Austria:—'We are forced to confess that Germany was not then in a position to defend her own cause or to win back her past importance. The help of a foreign prince was needed to overthrow the armed Power which threatened to overwhelm the Lutheran States.' The same writer contends that 'if the great sovereigns who founded or extended the supreme power in Germany, gave the nation the consciousness of its own unity, on the other hand the territorial princes who opposed those monarchs defended the freedom of the national genius, and prevented the destruction of individual life and liberty.'

Amongst these territorial princes, the most powerful in the last two centuries, and the most assiduous enemy of the Imperial authority, has been the House of Brandenburg. Nearly two hundred years have elapsed since the actual date of a prophecy, which once laid claim to far higher antiquity, for whoever may have been the author of the Lehnin predictions (*Die Lehninische Weissagung, Vaticinium Lehninense*), it is certain that they were generally known and circulated in Germany at the beginning of the last century—indeed the librarian La Croze had seen a copy at Berlin in 1697—and they were published in 1714. The leading features of this singular national poem in Macaronic verse were hatred of all foreigners, and especially of the French; resentment against the times when the policy of Brandenburg was dependent on that of Austria, and when George Wilhelm, the degenerate son of the Great Elector, allowed himself to deviate from the footsteps of his race; an ardent desire for the ecclesiastical and national unity of Germany, when 'the Shepherd would recover his flock and Germany get back her King;' and this transformation was to be brought about by the '*last* Ruler of Brandenburg.' The last Ruler of Brandenburg was taken to mean the Prince who should exchange the Electorate of the Northern Marches for an Imperial German Crown. It looked, at one time, as if the hour and the man were come in the person of Frederic II. to fulfil the prophecy; for never was the House of Brandenburg so vigorous, and never was the House of Austria so near extinction, as in the middle of the last century. But the course of time is less sudden in its changes; another century has almost pased away since the death of the Great Frederic before his work was completed, and even then more by the mysterious combination of events than by the direct effort of any personal volition.

It would be superfluous to recapitulate the long series of wars, intrigues, leagues, and aggressions of the Court of Berlin, all directed to the grand end, which it has recently accomplished—first, to wrest from Austria the position she still retained in Germany, as a lingering inheritance of the old Imperial dignity, by excluding her altogether from the Germanic body, to which she belongs by so many ties of race and history; secondly, to assume for itself the station and prerogatives of the Imperial Crown—those very prerogatives which it had never ceased to combat as long as they were possessed by

another house, but which Prussia is now prepared to assert and to enforce in very different language. The archives of the German Courts are full of schemes and combinations to prevent the execution of the grand design of which Austria was perpetually accused—that of bringing all Germany into subjection. We have before us at this moment a remarkable memoir, drawn up in 1784 by one of the Ministers of the Duke of Zweibrücken, the immediate ancestor of the house now reigning in Bavaria, which proposes 'a league or union of the territorial princes as the most natural and effectual way to maintain the constitution of the German Empire, with the support of the European courts, who have ever regarded that Constitution as of essential importance to the balance of power.' 'The plan of becoming sovereign in Germany,' he goes on, 'is of old standing with the Court of Austria. To cite all the attempts which have been made to realize it would be to write the history of the country from the Emperor Frederic III. downwards. That plan is always going on. It aims at the undermining of the Germanic Constitution, and at the establishment of total subjection to a supreme authority in its place.' Towards the close of his life, in March 1784, Frederic II. wrote to his own Ministers:—'Examining the state of Europe, I see no resource but to construct a league in the Empire to support the rights and prerogatives of the Princes and their immunities.'* In a Declaration addressed to the French and Russian Courts in the following year the King of Prussia added that 'His Majesty thinks he could do no less for his own security and for that of the whole German Empire, than to propose to his fellow-States to make an association conformable to all the fundamental constitutions of the Empire, more especially the Peace of Westphalia, and the Imperial capitulations, founded on the example of all ages, tending solely to preserve the present legal constitution of the Empire, and each of its members in the free and tranquil exercise of his rights, dominions, and possessions, and to oppose every arbitrary and illegal enterprise contrary to the system of the Empire.'

These extracts are drawn from the purest German sources, and they may be corroborated by other acts and opinions of the Court of Brandenburg itself, expressed by some of the ablest of its Ministers. For instance: in 1778 a scheme had been set on foot for effecting an exchange between the Austrian Low Countries and the Bavarian territories of the Palatine House, which would have strengthened the position of Austria in Germany by the acquisition of some contiguous provinces at the cost of an embarrassing non-German dependency. This proposal was stoutly resisted by Prussia as fatal to the independence of Germany:—

'If the House of Austria,' it was said, 'succeeded in acquiring the circle of Bavaria, inhabited by a brave nation in a fertile territory, and got rid of the Low Countries, which are a source of weakness to her, the result would be an enormous mass of power, a huge empire, extending from the Black Sea to the Rhine, which the minor States of Germany could never resist, so that the balance, the security, and the freedom of Germany would solely depend on the moderation of each Austrian Sovereign. If this moderation were to fail, and if the state maxims of Charles V. and Ferdinand II. were revived, what could resist her power? The whole German Empire would become a monarchy of that House. Nor is this all. For if it be supposed that one Sovereign governs the whole extent of the German Empire, fertile, populous, situated in the centre of Europe; and if he found himself at the head of so numerous and warlike a nation, already completely armed, as the German nation now undoubtedly is, what power in Europe could resist such a Sovereign, if it pleased him to assert the ancient pretensions of the Roman Emperor or King of Germany, over the border lands, such as Holland, Switzerland, Italy, or even the old kingdoms of Burgundy and Lorraine? Would not all Europe be exposed to the certain danger of a *universal monarchy?* Nor is this a dream. Any impartial man, who knows the force and internal constitution of Germany, as well as that of the neighbouring States, who thinks of the past, and of the characters of Sovereigns who have figured in history, will be convinced that under the circumstances we have supposed, a German Monarchy, and after it a universal European Monarchy, is a possible thing—nay, even a probable one; and that none but a Sovereign of all Germany can ever realise it.' (*Œuvres de Hertzberg*, vol. ii. p. 336.)

To these suppositions the answer made by their author was, that by the Constitution of Germany, no German Emperor had any such power; that the supreme authority was shared by the territorial Princes; and that if the head of the Empire attempted to extend or abuse his power, he violated the eighth article of the Treaty of Osnabruck and the Capitulations of the Empire; and he justifies the Princes in seeking, even by foreign alliances or by leagues amongst themselves, to restrain him.

These were the principles maintained in the last century by Count Hertzberg, one of the ablest Ministers of Frederic the Great.

* These despatches are printed by Adolf Schmidt, in his 'Geschichte der Preussisch-deutschen Unionsbestrebungen. Berlin, 1851.'

They were the basis of the policy of Prussia, when Austria was supposed to aim at the erection of a preponderating power in Germany. Are they not as literally applicable, even in minute particulars which cannot fail to strike the reader, when it is not Austria, but Prussia, which has raised herself to a position in Europe, which no other single State is at this time able to resist with success in the field? It would be impossible to describe with greater accuracy the present condition of the adjacent States, than by saying with Count Hertzberg, that their existence depends entirely on the moderation and forbearance of so formidable a neighbour, since all the checks, limitations, and engagements which formerly restrained that colossal power, both within and without, have just been swept away.

Such was the language and ostensible policy of Prussia, when the Imperial dignity was still possessed by Austria, and when it suited her to raise up coalitions against the arbitrary designs imputed to that Power. We should be glad to think that she was now animated by the same determination to resist all schemes of aggrandisement contrary to the territorial rights and independence of the other German States. But after having torn up the Treaties of 1815 constituting the Germanic Confederation in place of the Empire—after having made war on her own confederates—conquered Hanover, Hesse, Nassau, Holstein, Sleswig, and Frankfort, and now Alsace and part of Lorraine—expelled Austria from Germany in order to secure her undisputed supremacy over a confederacy of feeble vassals—and established her military authority over the whole country, it would be idle to expect that the Court of Berlin proposes to respect the rights or dominions of any State which it may suit Prussia to incorporate with herself. The terms of the new Federal or Imperial Constitution, as we shall presently see, are those on which Prussia has thought fit to place the minor States, which she has not yet absorbed, under the shadow of her own protection.

When, therefore, the King of Prussia talks of restoring or re-establishing the ancient German Empire, and assumes the title that belonged to it, he is guilty of a strange abuse of language. Whatever the German Empire may hereafter become, it certainly will not resemble in the slightest degree either the ancient German Empire, or the Confederacy which was created in 1815, with the assent of Europe, in place of it. The German Empire was elective; the new dominion will be hereditary in a powerful and martial house. The German Empire was a monarchical confederacy of co-equal States, whose rights were jealously secured to them against the danger of a preponderating supremacy; the new dominion has been created by the sword, by conquest within and without, and the securities of its subjects and allies are just what Prussia thinks fit to concede to them. The Empire enjoyed a large amount of local freedom, which undoubtedly weakened its collective action; the new dominion tends openly to unity—unity is the cry of Germany at this moment, and it would seem as if no sacrifice of freedom and independence is too sacred or too costly to be made to it. In exchange for all that has hitherto constituted their peculiar and multifarious greatness, the Germans are eagerly bent on obtaining what it seems they value more highly—a concentrated military organisation and power which may render them masters of a great part of Europe, and the political influence abroad which their admirable and enormous armies may confer on them.

It has been for ages the distinctive characteristic and glory of Germany that she has escaped that centralising force which has reduced most of the other European States to a common pattern, and which will probably henceforth be still more active and intense in the world, whether democratic institutions or military despotism direct the application of it. She owes to that absence of a central authority her manifold varieties of intelligence and life—Her capitals and courts, which have been in various ways the centres of her civilisation—her universities, rivals in learning and in letters—her Free Cities, which retained till the other day a complete self-government, and ranked with the great marts of the world—and that blending of races and religions, which produced an endless social variety, with a certain amount of political unity. These elements of her true national greatness are threatened by the preponderance of the most arbitrary and absolute of the German Powers—the only one which has made military force the end and aim of all its policy.

The future welfare of the country is brought back to the old question, whether Prussia is to dominate over Germany, or Germany to absorb Prussia. The latter of these alternatives we should accept with the utmost satisfaction and gratitude, and it will probably be arrived at in some future age by the destruction of monarchy throughout the German States, a result to which the policy of Prussia towards her neighbours is secretly and unconsciously tending. But as long as the Prussian monarchy remains as it is, we cannot question that it will make its superi-

ority felt over all the other States. When the beasts of the field, in Æsop's fable, went out hunting with the lion, we know who got the spoils of the chase.

The extinction of the ancient Germanic Empire dated from the signature of the Act constituting the Federation of the Rhine under the headship of France on the 12th July, 1806. Bavaria, Wirtemberg, Baden, Hesse-Darmstadt, the two Hohenzollerns, Nassau, and some other minor Princes joined that league. Upon which the Emperor Francis II. laid down the Imperial Crown on the 6th August, Napoleon having declared to his allies at Ratisbon a few days before that the German Imperial Constitution was no longer in existence. But it deserves to be remarked that no sooner had these events occurred than Prussia set on foot her schemes to organise a North-German League and a North-German Constitution, by which Frederic William III. was to assume the Imperial title, and to exercise all the former prerogatives of the German Empire over the Northern States. From these dreams Prussia was awakened by the campaign of Jena; but through all bad or good fortune, she remained equally steadfast to her idea of Empire.

'After the War of Liberation in 1814 it was necessary,' says the Queen's Advocate, Sir Travers Twiss,* 'to create another Germanic political body, partly to satisfy the deep-seated feeling of nationality amongst the people of the Germanic States, partly to fill up the void which the disappearance of the Germanic Empire had caused in the centre of the European political system.' The Emperor Francis of Austria repudiated the advice of those who urged him to resume, as a matter of course, the crown of the Roman Empire of the Germanic nations, as unjust to the States which had enjoyed sovereign rights since 1806. Nor did he favour the idea of a simple political alliance between the German States. He therefore insisted on a Confederation of States, compatible with the independence of the Sovereign Princes and States of Germany and capable of securing the integrity of the Germanic territory. The assent of Russia, Prussia, and Great Britain to this scheme was made a condition *sine quâ non* of Austria's accession to the Quadruple Alliance of 1813, and the sixth Article of the Peace of Paris provided that 'Les États de l'Allemagne seront indépendans, et unis par un lien fédératif.' The German Federal Act was thus a part of the public conventional law of Europe, and in fact the *Schluss-Act*, as it was termed, was textually inserted in the Final Act of the Congress of Vienna. When therefore the Prussian envoy declared at Frankfort on the 14th of June, 1866, 'in the name and by the orders of his Majesty the King of Prussia, that Prussia henceforth regards the hitherto existing Federal compact as dissolved and no longer obligatory,' he repudiated a treaty binding not only as between Prussia and her confederates, but between all the Powers of Europe.

Sir Alexander Malet, who was the British Minister on the spot at Frankfort, has recorded with the utmost fidelity all the incidents of this important rupture; and to understand fully the effects of it on the general relations of Europe, it is necessary to follow in detail the tortuous but steady drift of the policy of Prussia both in the Danish question and in the Diet. We refer our readers for these details to Sir Alexander's most interesting volume, for by these acts the constitution of Germany was abruptly and totally changed.

Nor is the change a matter of indifference to Europe. The Confederation of 1815 was essentially a defensive league. It is true that it could not have undertaken or carried on an offensive war. But we are entitled to assert that as a defensive league it fully answered its purpose and attained its end, since no foreign State *ever ventured to attack it.* The united forces of Austria and Prussia, with their minor confederates, constituted a power which effectually held France in check for fifty years. The Emperor Napoleon III. was known to have said that he could never attack them collectively. He defeated Austria singly; he thought himself (though most erroneously) in a condition to make war against Prussia. But as long as the Bund was in existence, backed by the great Powers of Europe, who had co-operated in the creation of it and were deeply interested in its security, for defensive purposes the security of Germany was unassailable.

On this point we must invoke the evidence of Sir A. Malet, which is conclusive.

'It should and will be noted by the historian that these institutions were framed with a view to two objects—the maintenance of the internal tranquillity of Germany, and the holding France in check; and that, with the brief exception of the troubles of 1848–49, both objects were secured for half a century. During that period neither Austria nor Prussia made attacks on their confederates; above all, France made no encroachments, nor was any umbrage given to her, at periods when that country was most ready to take umbrage. The Germanic Confe-

* Twiss 'On the Law of Nations,' vol. i. p. 69. The learned author's observations on this subject are the more important, as he is known to have had access to the best sources of information upon it.

deration was respected alike by Louis XVIII., by Charles X., by the short-lived Republic, and by Louis Philippe. Even after Solferino the resumption of the Rhine frontier may have been talked of, but was never seriously contemplated. An area of 11,000 geographical miles and a population of forty-five millions on her immediate confines remained in the pursuit of peaceful industrial progress; and France had good reason to know that any aggressive move in that direction stirred the great soul of Germany like one man. That this result was obtained while the Diet still subsisted cannot be forgotten by anyone who impartially records the events of the time.' (*Malet*, p. 380.)

In fact, this was the reason distinctly expressed by the Emperor Napoleon III., both to Lord Russell and to Lord Clarendon, as the chief ground of his refusal to co-operate with Great Britain in resisting the German invasion of Denmark. The following expressions occurred in a despatch of M. Drouyn de Lhuys, of the 26th of January, 1864:—

'It may be comparatively easy for England to carry on a war which can never go beyond maritime operations of blockade and capture of ships. Schleswig and England are far apart from each other. But the soil of Germany touches the soil of France, and a war between France and Germany would be one of the most burthensome and one of the most hazardous in which the French Empire could engage. Besides these considerations, the Emperor cannot fail to recollect that he has been made an object of mistrust and suspicion in Europe on account of his supposed projects of aggrandisement on the Rhine. A war commenced on the frontiers of Germany could not fail to give strength to these unfounded and unwarrantable imputations. For these reasons the Government of France will not take at present any engagement on the subject of Denmark. If, hereafter, the balance of power should be seriously threatened, the Emperor may be induced to take new measures in the interest of France and of Europe.' (*Despatch quoted by Sir A. Malet*, p. 428.)

The destruction of the Bund has already led to two wars, and it has shown to the world by forcible examples, that instead of a great defensive Power, formed of united States and interests, there exists in the centre of Europe a monarchy capable of carrying on a war of invasion on the largest scale and of rendering itself formidable to all its neighbours. Such a monarchy having for its head a sovereign addicted to war and a minister versed in the arts of aggression and aggrandisement would be a curse to the world. Such princes have before now not been wanting to the House of Hohenzollern. Such ministers have been found even in the Cabinet of Berlin. Nor are examples wanting of the manner in which a country may be engaged in war in direct opposition to the wishes of the people.

'Throughout Germany,' says again Sir A. Malet, in speaking of the outset of the war of 1866, 'and largely in Prussia itself, the strongest possible repugnance and horror of the coming crisis was entertained. But amongst the Prussian troops the force of discipline, stronger than any individual shade of opinion, impelled the soldier unhesitatingly against those who were pointed out to him as enemies to his country. Once engaged in actual contest, all reflection was soon drowned in the din of battle, while under able leadership, and stimulated by almost unvarying success, the Prussian army, each unit of whose mass was a citizen of one of the most highly educated states in Europe, soon gave another proof of the force of military discipline and habits, and, wielded with consummate ability, effected all that its most sanguine projectors and artificers could have expected from a sentient but obedient machine.' (*Malet*, p. 196.)

The Germans, jubilant with victory, and suffering at the same time from the cost of victory, which must be paid in the life-blood of a nation, are probably sincere at this moment in their desire for the restoration and maintenance of peace. But Europe can place but little reliance on these transient impressions. The military caste in Prussia is strong, and war alone enables it to feel and put forth its strength. Indigent nobles, who have no other profession, and no other utility than to fight and feed the crows on battle-fields, are a dangerous element in society, especially when they are surrounded by richer and fairer countries than their own swamps and sands and pine-forests. The old barbarian impulse of the men of the north to break out upon the lands of the south revives. In the recent campaign in France all respect for private property seems to have been lost. Pillage and rapine of private dwellings became the general practice of men and officers. To the other attractions of war to a fierce people was added the acquisition and appropriation of wealth by a needy people. The State practised the same policy on a larger scale. The enormous exaction levied on France will leave no small residue in the military chest of Berlin or Potsdam after the cost of the war and the claims of the allies have been discharged. Of this sum, judging by precedent, no account will be rendered to the nation, but enough of it will remain to render the Crown on an emergency independent of the control exercised by Parliament over the public revenues, and able to meet at pleasure the demands at the outset of another war. It is a calamity to France to have to pay so vast a sum, which must in the end be wrung from the industry of her popu-

lation, and imposes a cruel burden of permanent debt on future generations. But it may yet prove a greater calamity to Germany to receive so vast a sum, not earned or created by industry, but won by the sword, for it puts a profit on war, and renders the government disposing of such prodigious spoil in great measure independent of the people. In all former treaties of peace, acquisitions of territory and levies of money have invariably been regarded as a set-off or equivalent of each other. Prussia in this peace has exacted both. The revenue she will draw from the rich province of Alsace and part of Lorraine will probably reach three millions sterling, so that the money value of those territories might be capitalised at a hundred millions. In addition to this she takes upwards of one hundred and fifty millions sterling net, so that the annual value of the sums and lands acquired will exceed ten millions sterling. Acquisitions on such a scale are no small inducement to undertake other wars, and at any rate they supply the means of engaging in them.

This fact alone has greatly increased the relative power of Prussia, more especially with reference to Russia and Austria, and they will probably one day feel the effects of it. Germany has shown conclusively that she is more than a match for the military forces of any other single Power. The consequence will be that she will be watched with the utmost jealousy by all the Powers combined, or rather their combination, which has at present no existence, will result from a sense of common danger. She leaves behind her in France a legacy of hatred and a thirst for revenge. Russia is, with some unknown motive, arming on an enormous scale. Austria, though eagerly desirous of peace at any price, is conscious that her existence may be at stake. England surveys the state of Europe with uncertainty and distrust. Peace may be preserved. God grant it may! For we have seen enough of ruin and bloodshed. But that which makes peace effective and secure—mutual confidence, common obligations, respect for treaties, an open policy—is entirely wanting. Without these conditions peace itself is but partially restored. Armaments and military preparations will continue on an enormous scale. The burdens imposed by them will be unspeakable. We are at a loss whom we can trust and with whom we can act, because, in one word, the system of European policy has been destroyed, and as yet we see no approach to the reconstruction of it. There are persons, we know, who think that words such as these—the system of Europe, the balance of power—are idle expressions; and who would be content, we suppose, to see the nations of the earth separated from each other like barbarous tribes, trusting to nothing but their own powers of defence. If that be so, we take the liberty to say that civilisation itself is moving backwards. Without mutual confidence, regulated and protected by public law, there is no security and no peace; and the most painful and alarming symptom of the present state of the world appears to us to be that force rather than law at this moment governs the most civilised nations of the earth, that all alliances are shaken, and that there are no longer any common standards or principles of political action recognised by governments. If such a state of things were prolonged, it would lead us back to never-ending wars and barbarism. Yet this appears to us to be the result of the policy of which Count Bismarck is the chief author.

It is related that M. Thiers in his peregrination round Europe in the course of last autumn, to make an appeal which was answered like that of Gay's 'Hare with many Friends,' found himself at table at Vienna with an eminent Prussian historian, we believe, Professor Ranke himself. After enlarging on the effects of the capitulation of Sedan and the fault of the sovereign who was regarded as the author of the war, the lively French Minister remonstrated on the inconsistency of pursuing hostilities to their furthest limit against an unoffending people, and ended with the question '*A qui faites-vous donc la guerre?*' 'A Louis XIV.,' was the grim answer of the Northern sage. That answer strikes us as the most just and profound observation which has been made during the whole course of this crisis; and if Professor Ranke really said it, he deserves more credit for such a speech than for any page of his 'Nine Books of Prussian History,' uninspired by the Muses.

To make this declaration perfectly accurate, however, it should have gone one step further. Prussia has been making war with success not only against Louis XIV., since she has been able in one campaign to wring from France many of the concessions that monarch succeeded in engrafting upon the Treaty of Westphalia by an abuse of his influence and his arms; but she has in reality overthrown and reversed the principles of the Treaty of Westphalia itself, so far as they might still be traced in the public law of Europe, of which they were the foundation. It is with no idle or pedantic motive, but really to explain our view of the present state of Germany, that we are compelled to go back to this remote period.

The great international compact known as the Treaty of Munster or Westphalia, concluded in 1648, derives its chief importance and authority from the fact that it was the first time in modern history that *all* the States of Europe had concurred in one general engagement, and that, as it was based on mutual concessions and guarantees, all had a common interest in maintaining it. It was the first solemn recognition of the principle that all nations have reciprocal rights and duties; that peace can only be secured by a comprehensive system of mutual engagements; and that a Power which attacks that system in any part, impairs the stability of the whole edifice. In this respect, the Final Act of the Congress of Vienna in 1815 can alone be compared to it. The same spirit pervaded both. Europe had in both instances been torn by long and sanguinary wars. At both these epochs, it was felt by all nations that peace and security were only to be secured by associating all the Powers in the common work. More especially did this consideration apply in both instances to Germany. Germany had been the scene of the Thirty Years' War; Germany had suffered most by the wars of the French Revolution. Her central position, her open frontiers, and her divided governments and creeds, rendered the settlement of Germany the first condition of the settlement of Europe, and of extreme importance to her neighbours. In 1640 the Emperor had attempted to negotiate a peace through the Diet at Ratisbon by direct negotiation within the Empire. The attempt failed. The aid of foreign nations was invoked, and it was incontestably by the good offices of France and Sweden that peace was at length re-established on equitable terms. The grand object of the whole negotiation was to defend the civil and religious liberty of Europe against the aggressions of the House of Austria, then in the possession of the Imperial Power, and aiming at an Imperial and absolute supremacy. The first condition was a general amnesty, which the mediating Powers exacted in favour of the subjects of the Emperor himself, and throughout Germany. The second was the maintenance of the rights and independence of the territorial princes, cities, and corporations, in all their ancient extent. The third was the establishment of the principle of religious toleration, and the mutual recognition of the hostile creeds which had been seeking to extirpate one another. These conditions were imposed by the mediating Powers, greatly to the dissatisfaction of the Imperialists.

It was *in satisfaction* (that was the phrase) of the services rendered by France in this negotiation to the settlement of Germany and Europe, and in compensation for the expenses of the war, that she obtained from Germany the full recognition of her sovereignty over the Three Bishoprics of Metz, Toul, and Verdun, which had been ceded to Henry II. in a more restricted form by some of the German princes in the preceding century; and also the cession of Alsace, in the same manner as that province had been held by the Austrian princes to whom it then belonged, with a reservation of the rights of the Bishops of Strasburg and Bâle, and of the ten imperial towns belonging to the prefectorate of Haguenau. The landgraviates of Alsace belonged to a younger branch of the House of Austria, the same then reigning in the Tyrol; but their tenure was limited by the double obligations of the feudal system to those under whom they held, and to those who held under them. The Austrian Princes eventually received from France an indemnity of three million livres for their interest in the provinces, which was, in fact, a limited one, and not a sovereign right at all. A vast amount of controversy has sprung out of these reservations and is not even abandoned by the Germans to this day, for Professor von Sybel of Bonn contends in a recent pamphlet entitled 'Droits de l'Allemagne sur l'Alsace et la Lorraine,' that the Austrian princes could only cede the limited superiority they themselves enjoyed, and that everything else was obtained by Louis XIV. and annexed to France by subsequent fraud or force. We shall not attempt to draw our readers into the depths of this dispute. But we are surprised a man of Professor von Sybel's high character for learning and candour should have abstained in his pamphlet from noticing the fact that on the 24th October, 1648, an Act of cession of the Three Bishoprics of Lorraine, and of Alsace, Brisach, and Pignerol, was duly executed on behalf of the Emperor and the Empire, by which every sort of authority and dominion was fully relinquished and transferred without the least reservation to the Crown of France, and their inhabitants released from all allegiance whatsoever to the Holy Roman Empire. The document itself is published at the end of the first chapter of Koch and Schœll's 'History of Treaties of Peace.' And it appears to us to be absolutely conclusive as to all that was comprehended within it. Strasburg, the city or commonwealth, and the bishopric were not comprehended within it, and the scandalous fraud by which possession was taken of that free city in the year 1618, by the Ministers of Louis XIV., is one of the darkest stains on the policy of that unscrupulous king—a stain, indeed, as

dark as the destruction of the Free City and Republic of Cracow in 1846, to which, if we remember rightly, the Court of Prussia was not a stranger. Many German princes and nobles retained feudal rights in Alsace down to the French Revolution: they were confiscated and abolished by the National Assembly, because similar rights were abrogated throughout France. The abolition of these rights was an immense boon to the people, and contributed to strengthen among them that ardent attachment to France and the Revolution they have ever since displayed. In 1792 a demand made by the Germans for the restoration of their privileges was an obstacle to peace, and it was not till the peace of Luneville in 1801 that the question was settled. But we cannot agree with Professor von Sybel that any species of German right of sovereignty lay all this time dormant in those provinces. Even if it did, the final declaration of 1814, that France should resume the frontiers of 1790, which was insisted upon by England and Russia, preempted and barred the revival of the German claim. The best argument of Prussia, and probably the only one which M. Bismarck would condescend to use, is that she has conquered these provinces by the sword and means to keep them, alike regardless of ancient rights, of former treaties, and of the will of the people. Just so, it was argued by all the public writers in Germany in the question of the Duchies, that the claims of the Duke of Augustenberg were irrefragable; but after the war, the Crown lawyers of Berlin discovered that the Duke had never had any rights at all, and that as the sovereignty resided solely in the King of Denmark, it had been transferred absolutely to Prussia by sheer conquest. To this argument there is, of course, no reply; except that force confers no rights at all, and that whenever France is strong enough to reconquer Alsace she will do so: that the possession of these spoils is not, and will not be recognised by any general treaty; and that they can only be held by the severest means of internal oppression and external vigilance.

But now observe with what skilful precision Prussia has succeeded in reversing the stipulations of the Treaty of Westphalia. Having placed herself in the Imperial position, of which Austria had been divested, and having in 1866 destroyed all the old obligations of the Bund towards her Confederates, devouring several of them and crushing the rest, she now proceeds to give the strongest expression to the power and authority of a supreme unitary government. She has in fact accomplished, to all outward appearance, all the objects which the territorial princes and Free Cities of Germany, with the House of Brandenburg at the head of them, resisted for so many centuries in the name of freedom, toleration, and independence. She has reduced to dust and ashes all those laws and traditions of the past by which these rights were protected, and she stands at this moment supreme in Germany and in Europe, undeniably great by a military superiority, but absolutely unrestrained by any positive obligations to any Power at home or abroad except by the voluntary engagements she has recently entered into with the minor German States. No wonder she hastened to snatch from France lands which were ceded to that kingdom in consideration of services rendered in checking the ambition and absolutism of the Empire; but as those lands were avowedly once Austrian possessions, connected with the Empire only by the light tie of feudal dependence, Austria would have a fairer claim than Prussia to recover them. Prussia, however, evidently conceives herself to have inherited all the pretensions and rights of the old Empire, with none of its limitations. There can be no wilder fiction in politics than the substitution under the same name, of such an Empire and such a dominion as Prussia has become for the ancient Holy Roman Empire of the Frederics, the Charles, and the Leopolds.

But we are told that this is what the Germans desire. They are the only competent judges of their own affairs. They desire strength; they desire unity; they abhor the slightest foreign influence at their courts, whether it proceed from Petersburg or from Paris; and it is added that such is the vigour, intelligence, and political sagacity of that nation, that we shall soon see them impose on this Imperial power the effectual restraint of constitutional law and Parliamentary control. That is precisely what we too desire. We have no fear at all of the power of Germany, if we are satisfied that it will henceforth be exercised under the strict control of a free popular government; but we have the greatest mistrust of it as long as it is mainly directed by a warlike sovereign, a military aristocracy, and an unprincipled minister. To ascertain what the German nation desires, and what it is likely to obtain, has, of late, become the more difficult, as throughout the late war, the Government of Berlin has taken the precaution to muzzle the country—military law has been in force, not only in the country they have invaded, but in their own homes, and even in the capital of Prussia—and anything approaching to a free expression of opinion has been repressed with such exemplary severity, that the victorious nation has been allowed no voice at all, except to cele-

brate its own successes. That period is now happily at an end. The King of Prussia has returned to his dominions with a new title, and before these pages see the light, active measures will have been taken to form and declare the future character of the Imperial Government. We have thus far endeavoured to show our readers what that Government is not and cannot be; but it is a matter of far deeper interest to ascertain, as far as we are able, what its future constitution and powers are really likely to become; and to this object we shall now endeavour to apply ourselves.

The Sessional Papers of the German Bund, now to be termed we presume the Empire, which are before us, contain the most authentic account we have been able to procure of the present Constitution of that body. They comprise the text of the Constitution of the North German League, and the treaties negotiated and signed at Versailles on the 24th and 28th of November last between Prussia, as head of the existing League, and the States of Bavaria, Wirtemberg, Baden, and Hesse on the Rhine respectively, by virtue of which they became members of the League, and some alterations were introduced in the organic law of that body. We shall briefly recapitulate the provisions of these instruments, which have not, we think, been published in this country.

The territory of the Bund or Empire consists of the following States, and the numbers annexed to them denote the number of their votes in the Federal or Imperial Council. Prussia with Lauenburg, and including Hanover, Electoral Hesse, Holstein, Nassau and Frankfort, 17 votes;* Bavaria, 6; Saxony, 4; Wirtemberg, 4; Baden, 3; Hesse, 2; Mecklenburg Schwerin, 2; Brunswick, 2; Saxe Weimar, Mecklenburg Strelitz, Oldenburg, Saxe-Meiningen, Saxe-Altenburg, Saxe Coburg Gotha, Anhalt, Schwarzburg Rudolstadt, Schwarzburg Sondershausen, Waldech, Reuss of the elder line, Reuss of the younger line, Schaumburg Lippe, Lippe, Lubeck, Bremen, and Hamburg, 1 each; in all 58 votes. Each State may name as many plenipotentiaries as it has votes. This Federal Council, of which the King of Prussia or Emperor is the permanent head, determines the proposals to be submitted to the Diet; and decrees, when necessary, the execution of Federal laws; and provides for any unforeseen emergencies. Its decisions are given by the majority of votes. The Council is subdivided into seven committees for War, Marine, Taxes and Duties, Trade, Railroads Post Office and Telegraphs, Justice, and Public Accounts. The headship of the Bund or Empire being attached to the Crown of Prussia, that Power can declare war and make peace, and conduct diplomatic relations in the name of the whole body. It also names to all appointments and offices under the Bund. In the event of any omission to fulfil the Federal obligations of any State, an 'execution,' as it is termed, may be decreed by the Federal Council and carried into effect by the Head. Without entering into more minute administrative detail, it must be added that the entire population of the whole Bund is liable to bear arms and can name no substitutes. This liability lasts for seven years in the life of every man (from the age of twenty to twenty-eight), of which three are to be spent in the ranks of the standing army, and four in the reserve, with a further liability to serve for five years in the Landwehr. The active army on its peace establishment, however, consists of only one per cent. of the entire population. Throughout the whole Empire, the Prussian military system is established, under Prussian command. Each State belonging to the Bund is to contribute to the military expenses at the rate of 225 dollars per man.

Next to these monarchical and military institutions, which breathe a very absolute spirit, comes the Reichstag or Diet—a body of a very opposite character, for it consists of a popular assembly elected by universal suffrage and ballot every three years. This body has legislative powers over the whole Bund, but its functions and rights are loosely defined, and we cannot determine with precision what control it will exercise over the executive departments of the Empire.

We remarked in an article entitled 'New Germany,' which appeared in this Review in July 1868, that the North German Constitution was a mere pretended Confederation, as there was no equality or counterpoise of power between its members. It clearly gave Prussia absolute power over her confederates, whilst it gave the lesser confederates no powers at all over Prussia. And we observed that such a Constitution was manifestly only a form of transition into that of a more homogeneous commonwealth. It appeared at that time that this consideration might long retard the anticipated fusion between Northern and Southern Germany. The war, however, has abruptly settled that question, and whatever may have been the secret policy or desires of the respective parties, Bavaria, Baden, Wirtemberg, and Hesse have now cast in their lot with the

* In the Bund of 1815 Prussia and Austria had each single votes in the ordinary Diet, and four votes each out of seventy in the *plenum*.

rest of Germany. We rejoice at this result, for not only does it bring Germany considerably nearer to the unity she desires, but it supplies the elements of a much more considerable opposition and counterpoise to the preponderating power of Prussia in the Federal Assemblies.

Prussia has thus far carried everything before her, and had her own way in everything since the rupture of 1866. The only effectual check upon her autocracy is that which may be applied by the representatives of the German nation in the Federal Parliament or Diet. Everything depends on the constitutional attitude they may assume, and on their firmness in maintaining it. The Prussian Government has hitherto treated Parliamentary assemblies with supreme contempt, and used them only as a blind, to mask its own secret policy, which was working in the opposite direction. The Parliament was for a reduction of the army; the King increased it: the Parliament was for peace; the King has carried on with success two colossal wars: the Parliament stopped the supplies; but the King levied the taxes, on the ground that taxes already established by law in former years must be paid. Of the ingenious mechanism by which the representatives of the people in England and America do really hold the purse-strings of the nation, and thereby control the whole policy of the executive government, there is at present hardly a trace in Germany. The real battle between prerogative and military power, represented by the symbols of the Empire and the rights of a free people awakening to a sense of its national strength, is only now about to begin; and it will depend on the result of that contest whether the German Empire of the future becomes a more perfected form of military despotism, or a government worthy of a free and enlightened people. We need hardly say that we cordially desire the latter result; and there are some reasons for hoping that it may ultimately be attained. The military organisation and training of the whole population has this advantage, along with many evils, that the army is of one blood with the people, and the people are almost as well prepared to fight as the army. Were matters to come to the last extremity, it is difficult to say how long the sense of military duty would prevail against popular sympathies; and at any rate a nation of men trained to the use of arms, and electing every three years a body of representatives by universal suffrage, cannot, without their own consent, be converted into the tools of despotism.

This is the grand distinction between the Empire of the Past and the Empire of the Future. The Germans have shown a power of organising immense armies unprecedented in history, and even more remarkable than their gallantry and endurance on the field of battle. They have now before them another task of equal difficulty, but demanding the same patriotic qualities. We trust for their own sake and for the sake of Europe that they may succeed in it, and that the Empire which was proclaimed on a foreign soil amidst scenes of carnage and rapine, will in another generation take rank among the free and peaceful States of Europe. And here we must in justice remark that the known principles and character of the Crown Prince of Prussia, the Heir Apparent of this vast Empire, are a hopeful symptom and a pledge that the future will not always be as the past has been. That Prince has shown his valour and military skill, accompanied by moderation, in two great wars. He may ere long enter upon a nobler task, and establish on a lasting basis the liberties of the great nation over which he is not unworthy to reign.

But upon a review of the whole subject, we incline to the belief that the federal union and liberty of Germany will ultimately be secured, not by Imperial, but by Republican, institutions. It is not impossible that King William himself with his obsolete ideas of divine right, and Count Bismarck with his very practical notions of royal or imperial authority, are in reality preparing the way for a future state of things entirely opposed to their own system of Government. They have dethroned sovereigns of houses far more ancient than that of Brandenburg—so much for legitimacy; they have annexed and absorbed independent kingdoms and duchies—so much for territorial rights; these very measures have been accepted and applauded by some of the organs of the most advanced section of the German democratic party, because they argue that these acts of violence are excellent precedents for their own revolutionary policy. But in truth, there is no country in Europe which offers so fair a field for Republican institutions as Germany. The divisions of the nation have been kept alive by the interest or ambition of the ruling families; a Federal Union of free commonwealths would unite, without confounding them. There are now some millions of German emigrants settled in the United States, who have cordially and successfully adopted the republican institutions of that country; and the correspondence, public press, and state of opinion of the American Germans reacts powerfully on the mother-country. The general diffusion of the two great elements of freedom—

education and the use of arms—throughout Germany render it highly improbable that the nation will be content to accept any 'restoration' of the Germanic Empire in full satisfaction of its claims. The heroes of the present hour may exult in new titles, in military ascendency, and in the supremacy they have acquired over the country, from the Alps to the Baltic. But the future destinies of Germany are not within their control. They rest with the People of Germany; and we believe, from the progress already made, that in one or two generations, not only will the Empire of Germany not be restored, but its monarchical traditions will be swept away; *Fata viam invenient:* and Germany one day be both united and free.

Art. VII.—1. *Mémoires de Madame de Mornay; édition revue sur les manuscrits, publiée avec les variantes et accompagnée de lettres inédites de M. et Mme. du Plessis-Mornay et de leurs enfants. Pour la Société de l'Histoire de France.* Par Mme. de Witt, née Guizot. Deux tomes. 8vo. Paris: 1869.

2. *Les dernières Heures de De Mornay du Plessis, Gigord, Rivet, Du Moulin, Drelincourt et Fabri.* Par Jean-Jacob Salchi. Publiée par la Société de Livres religieux de Toulouse. Valence: 1847.

3. *Les Fondateurs de l'Unité Française. Études historiques.* Par M. le Comte Louis de Carné. Paris: 1868.

While the events of the late war still echo in our ears, we know not whether any apology be needed for reverting to a page of long past French history. Yet the book before us is so full of genuine interest, is so personal, and so pathetic, and turns so much on those feelings by which, as a French poet has assured us, the ear of humanity is kept ever young, that it will prove, as we believe, its own apologist. If it be true that history repeats itself, then assuredly a narrative of domestic trials, of political emergencies, and of religious animosities can never be out of date, since men and women still bear in their hearts passions as vindictive, a patriotism as ardent, and, let us hope, a piety as sincere as distinguished, in the sixteenth century, Philip and Charlotte du Plessis de Mornay.

Monsieur du Plessis, best known to fame as having been the confidential secretary of Henry IV., married Madame de Feuquères, *née* Arbaleste de la Borde, in 1575, when he was twenty-three, and his bride twenty-two years of age, while yet, to use M. Guizot's striking words, they were of the number of those in whom the sight of crimes and the prospect of danger only serves to arouse indignation, and a more obstinate persistence in virtue. How they did persist, and what of rewards or penalties their conduct entailed on them, this history of their joint lives will show, which was written by the wife and originally intended for the use of their son. We extract from the author's preface—

'Now that I behold you ready to start off into the world, to see it, and to study in it the manners of men and the state of nations, not being able to follow you with my eyes, I will follow you however with the same care, and pray God that you may increase in the fear and love of God. . . . . He has made you to be born of a father of whom in these days He has made use (and who will again serve to His glory), and who has since your infancy dedicated you to His service. . . . . But to the intent that you should never want a guide, here is one under warranty of my own hand to go with you: this is the example of your father, which I adjure you to have ever before your eyes, to the which end, I have taken the trouble to discourse to you what I have been able to know of his life. Albeit that our companionship was often interrupted by the troubles of the time, you have enough here to know what graces God has given him, as well as the zeal and affection with which he has ever used them; and you may hope for the like help whenever you too are resolved to serve Him with all your heart. I am sickening and failing, so much so that I am led to think that my God will not leave me long in this world. You will keep this writing in memory of me. . . . In whatever place you are serve God, and follow your father. I shall go to my burial content, at whatever hour I am summoned, if I see you in the way to advance His honour. . . . . For the rest, I commend your sisters to you: love them, and let them see by your loving them that you would perhaps also have loved your mother. . . . . Written at Saumur this 25th April, 1595. Your very fond mother,

'Charlotte Arbaleste.'

The truth and simplicity of these memoirs make them valuable materials for history, and they are well worthy of the care which Madame de Witt, on behalf of the Société de l'Histoire de France, has bestowed upon this new edition. Of their authenticity there has never been a doubt, two manuscript copies of the work having been preserved, one in the Bibliothèque Impériale, and another in the Bibliothèque de l'Université. The variations between these copies are neither many nor important, but such as they are, Madame de Witt has compared them, and given both the

readings in her pages, enriching the book at the same time with a collection of letters, and with a few pertinent notes. M. Guizot's introduction to the book is a piece of finished and beautiful writing. The idiom is delicate, the style all that we could expect from the historian of Civilisation, and the temper of it is worthy of Madame du Plessis' own.

It is surely no small praise to give to an author of the period of the massacre of St. Bartholomew, who was a woman, a personal sufferer, and who lived in an age when religious toleration was not to be found in either theory or practice, that her memoirs are devoid of passion. Nay, more than that, they frequently record the good offices of Catholics with gratitude, but at the same time with a simplicity which shows that the writer herself would have been quite ready to render like offices in her turn. Tranquil, equable, and pious, her mind, as it has imaged itself in these pages, affords a pleasant relief from too many of the heroines of that day. Though a warm politician, Madame du Plessis was not an intriguer or a bigot; she had a fine intellect, but she lived in her affections of wife and mother; it was through these affections that she was wounded, until after the disgrace of her husband, the desertion of their royal master, and the death of her eldest son, she went, as she expressed it, 'to her burial,' more full of sorrows than of years.

The historical narrative in these memoirs first becomes important in 1572, at the date of the massacre of St. Bartholomew, but their domestic interest only begins in 1575, when Philip du Plessis made the acquaintance of the young widow, Madame de Feuquères. Both had incurred the dangers of Paris during that terrible crisis, and both were not only Protestants in spirit, but Philip had lived in intimacy with the leaders of the proscribed party, while Madame de Feuquères was the widow of a man known to be 'well affectioned towards the cause.' The future secretary of Henri IV. had his share of dangers, and his future wife ran, if possible, greater risks. She describes them thus:—

'As I was to have left Paris on the Monday after St. Bartholomew, I meant on Sunday to have gone to the Louvre to take leave of the Princesse de Conti, Madame de Bouillon, Madame de Rothelin, and Madame de Dampierre; but before I had risen, a kitchen maid of mine, who was of the religion, came flying in to me with great fear, telling me that they were all being killed. I am not easily astonished, but getting up and throwing a garment over me, I went to the window, and there saw in the great Rue St. Anthoine, where I lodged, everything in commotion, and several corps de garde, and everyone with a white cross in his hat. Then I saw it was serious, and fled to my mother where my brothers were, to know what had happened. Them I found much hampered, because my brothers were all professors of the religion. M. Pierre Chevalier, Bishop of Senlis, my maternal uncle, told me to put up all my valuables, and that he would come presently to fetch me; but as he was about to do so, he found M. Charles Chevalier, Seigneur d'Esprunes, his brother, had been murdered, in the Rue Bétisy, where he lodged to be near the admiral.'

Having waited for him half an hour, and seeing that the tumult increased in the street, the young widow then decided to send her only child, a girl of three years old, to the house of M. de Perrenge, *maître des requêtes*, a faithful relative and friend, who not only protected the infant, but afforded a shelter to the mother. There she heard of the murder of Coligny, and was beginning to realise the magnitude of the destruction which awaited the Huguenots and their cause, when a domiciliary visit was made in M. de Perrenge's house by the servants of the Duke of Guise. The object of this search was herself. Being carefully hidden, she escaped with her life, and remained in safety till the Tuesday, when orders were given for a fresh inspection of her host's house. In a hollow space under the roof of an outhouse young Madame de Feuquères passed the next hours, hearing in the streets below 'strange cries of men, women, and children who were being massacred, and, not having my child with me, I fell into such a perplexity of spirit that I had rather have thrown myself from the roof of the house than have fallen alive into the hands of such a populace, or have seen my child massacred, which I feared more than death.'

It next became necessary to disguise this poor lady, and to send her to some other hiding-place. She took refuge with a blacksmith who had married a waiting-maid of her mother's, and there on Tuesday night her mother came to see her, 'more dead than alive, and more shaken than I was myself.' On that mother's house a guard was set, and it was no place for Madame de Feuquères, who on Wednesday morning left the blacksmith's with a little boy for her guide, and made her way through the streets to the cloisters of St. Denis, to a family of the name of Morin, with whom she stayed till midnight of Thursday. A threatened visitation of their quarters forced her again into the streets, and thence to the stores of a corn-merchant, where she lay for five days. None of these vicissitudes seem to have shaken the courage of the lady, but there was a ruder trial in store for her faith. Her mother sent to tell her that all her brothers were safe because

they had attended mass, and in the name of the child her mother now implored Charlotte to do the same. Lacking linen, light, and almost food, the fugitive returned for answer that to the mass she neither could nor would go, and she began to cast in her mind the plan which she ultimately carried out, for escaping from Paris in a boat. On the eleventh day after the massacre, disguised, but horribly afraid lest a chemise trimmed round the throat with '*point couppé*' should lead to her recognition as a Protestant lady of rank, she embarked in a boat bound for Sens. Professing to be a peasant going to the vintage, she had to sleep between two women, one of whom had already suggested that she might be 'a Huguenot whom they ought to drown,' and her companions by day were monks and soldiers, who boastfully recounted to her the massacres of the last week. She had however one ally on board, a man named Minier, deputed by her friends of the Cloître St. Denis to protect and assist her. Acting on his advice, she landed at Yuri, near Corbeil, walked five leagues to the château of the Chancellor de l'Hôpital, and there hid in the cottage of his vinedresser. Fifteen weary and uneventful days she passed in that place, uncertain what step to take next, and hearing from her humble entertainer sad stories of the deaths of neighbouring lords, all Huguenots, but of whom the peasants said, 'that there were no such almsgivers left.' At the end of these fifteen days, borrowing an ass from the vinedresser, Madame de Feuquères crossed the river, and arrived at Esprunes, a house belonging to her grandfather. There first, from the reception of the servants, the vinedresser became aware of the rank of the refugee to whom he had given shelter, and he broke forth in excuses for not having given the *damozselle* the best bed in his cottage. He apparently let his illustrious visitor have the donkey for her future use, for a fortnight afterwards, she made another march with the same animal to her brother's house, where she arrived with only fifteen *testons* in her pocket, and from whence, having changed her dress, and collected a small sum of money, she started in a cart for Sedan. The journey was a long one, and her brother was of opinion that it would be hazardous; but apparently to her it seemed tame after so many hair-breadth escapes, for the biographer contents herself with saying that she entered Sedan on All Saints' Day, and that she found many friends there, who placed their means at her disposal.

It was at Sedan that she saw and married Philip du Plessis-Mornay. He too had been among the tumult and the bloodshed of that terrible day in the Paris streets, and escaping thence to the coast had taken refuge for some months in England. He was by this time twenty-three years of age, well-educated, formed by travel, and the author of some political pamphlets. 'I took pleasure,' says the young widow, when recording the frequency of his visits to herself through one winter at Sedan, 'I took pleasure in his good and polite converse.' With a gentle decorum, not devoid either of humour or of some self-satisfaction, she goes on to say that, it having been her intention to remain a widow, she determined to fathom his intentions and his character. Their tastes suited admirably. Arithmetic, painting, and other studies, she tells us (with a *naïvêté* worthy of Lucy Hutchinson's sweet and studious youth) that they shared in common, and the result was that she liked him better than any brother, but had no thoughts of marriage! M. du Plessis had, however, and as this lady was emphatically a *château qui parle*, so she proved a woman to be won as well as wooed, and just as she had made up her mind to a journey that was to break off their habits of intimacy, he told her boldly of his wish to marry her. 'Ce que je reçeus à honneur,' continues the biographer. The family of M. du Plessis joined their solicitations to his, the family of the lady gave their consent, and by June, 1575, she was convinced 'that God had ordered this union for her great good.' The nuptials did not take place immediately, and other and richer brides, as she mentions with pardonable pride, were offered to her lover, but he remained faithful to his choice, and at her request wrote during these months his treatise 'De la Vie et de la Mort.' A curious wedding gift, but not inappropriate to a woman whose first husband had died of a wound, and who had barely escaped with her own life in the massacre of her coreligionists in Paris.

This bride and bridegroom may have been still young in years, but they had already obtained by experience a curious acquaintance both with life and death; and they were as likely as any couple in France not to regard 'life as a toil or a pleasure, but as a serious duty, to be carried through with honour.' To understand aright the career on which they had entered by this marriage, it will be necessary to give a glance at the state of politics and of the Huguenot cause in France. It had just undergone a crucial trial, and it had also entered on a period of change the magnitude of which it was left to the next two centuries to exhibit. What this change

was will appear if we compare the Protestantism of 1575 with the state of the Reformed party thirty years before.

When the treaty of Crespy had put an end, in 1544, to the fourth war of Francis I. with the Emperor Charles V., a new prospect opened for France, one of intellectual progress, internal measures, and doctrinal changes. During ten years the tenets of Calvin had been increasing in popularity among the greatest families of the court and country, and the Vaudois heresy had gained such a head as to provoke the intervention of the State, but still the Reformed doctrines were interesting only as doctrines; the movement was intellectual and moral, not, as in other countries, political or national in its spirit; social reforms, when attempted, were in France only demanded in the interests of morality, and the new studies were felt to be in harmony with the increasing intelligence of the country and of its upper and middle classes when they emerged from the darkness of mediæval ignorance. In France, then, Protestantism might long have continued to wear this peaceable aspect, and to have led only to the formation of a purer and more intellectual type of national character, had not the numbers, as well as the merits of its disciples, attracted to them the attention of both the parties in the State. Catharine de Medicis at one time decidedly affected the Huguenots; she discovered, or thought that she discovered in them an engine of power and of political support, and when she made Anne de Bourbon lieutenant-general of the kingdom, and released the Prince of Condé from prison, she seemed at once to favour the cause of Protestantism and that of the princes of the blood. To the Guises fell the charge of upholding Catholicism, and it was easy for them to make the feeble princes who, from 1559 to 1589, filled the French throne, see in the adherents of the new faith a source of political weakness, a danger threatening at once the prerogatives of the Church and of the crown.

The first measures taken against Protestants did not come from a religious so much as from a political animus, but by an irony of fate not unexampled in history, these very persecutions drove the Huguenots into exasperated opposition, and gave them at the same time a sense of their own importance. The best, the noblest, the wisest, and the bravest men in the France of that day were Protestants, and revolt and rebellion had been far from their thoughts till persecution taught them fatal lessons at once of vengeance and of their power. Calvinism, when it first penetrated France, had not that democratic character which it assumed in Scotland and in Switzerland; but the Guises, pointing to the rebellious and stubborn insurgents of the Low Countries, argued with the sovereign that all Protestant heretics were enemies of monarchy as well as of order. Thus vexatious decrees came to be fulminated at the Huguenots, and French Protestantism acquired the formidable proportions and was driven into the formidable political attitude which it afterwards assumed. It formed at last a State within the State; it came to have its courts and its camps, and three civil wars had already been the consequence, first of the fickle advances, and then of the cruel prosecutions, of an intriguing court.

Of these wars the last had been but indifferently patched up by the peace of St. Germain en Laye (1570), the one which in that age of nicknames was ironically called '*la paix boiteuse et malassise.*' An amnesty, which granted free exercise of religion, exemption from civil disabilities, and the possession of the four cities of La Rochelle, Montauban, Cognac, and La Charité to the Huguenots, as well as the marriage of Henry of Navarre to the Princess Marguerite of Valois, then came to promise better things. It seemed as if the breach between the two religions was not yet irreparable—as if the estrangement of so large and valuable a body of the king's subjects was not intended by him, and men of peace hoped that a new and perhaps a happier day had dawned for their country. That day closed, and it closed in the lurid darkness of St. Bartholomew. From that hour all possibility of union was at an end. Henceforward the Huguenots would respond to no royal caresses, and trust to no royal promises; all murdered, outraged, and betrayed as they were, they yet formed a compact and powerful body of men: they would try their strength: and absolved now from any sense of loyalty to a monarch who had plotted their ruin in a wholesale massacre, they were ready for any foreign alliance that might offer itself.

For two hundred years the gulf that opened on that day between the two religions continued to yawn, and the hatred that was fixed between them then has burst out repeatedly into outrages now on this side and now on that. It sent Catholic dragoons to carry fire and sword into Protestant villages and homesteads; it nerved, on the other hand, the fierce insurgents of the Cevennes, and it made the Camisards hail the idea of an English landing at Maguelonne, when they came to prefer treason to their sovereign to treason to their faith, and finally in the massacre of

September 1794, it pointed many a sword at many a priestly throat.

It was in the very first heat and flush of the hatred thus engendered (and of which we have here ventured to trace some of the later results), that Philip and Charlotte du Plessis-Mornay married. A fifth civil war broke out after the accession of Henry III., and it may well be believed that the lover-author and his bride ceased not to find and to see around them ample food for reflection on many varieties and emergencies both '*de la vie et de la mort.*' It is not our intention here to follow their biography through all the military and political alternations of that war, closed as it was by the peace called '*la paix de Monsieur*' in 1576. Suffice it to say that while the power of the League increased daily, while the Estates were convoked at Blois, while the arms of Henry of Navarre were suffering those vicissitudes of good fortune and of ill, which Sully describes with such interest and vivacity, while to the war called '*des amoureux*' succeeded an eighth outbreak of hostilities known as the '*guerre des trois Henris*,' while the gallant Béarnais was victorious at Coutras, while the Guises were filling the capital with barricades and bloodshed (1588), and while Henry III. and his cousin were besieging Paris from the height of Montretout, Du Plessis-Mornay shared the anxieties and often the dangers of his Huguenot master.

We do not always behold him, it is true, spurring after the white plumes on fields of battle, or even falling like Sully hard pressed among the javelins in the ditch of Villefranche of Perigord, but we do see him hurry across hostile provinces to meet his patron at Agen—'where he abode some days,' says Madame Charlotte, 'and where the king desired that henceforth M. du Plessis should assist at his councils, and help in all his affairs.' His journey to England, and a later mission to Antwerp, show that he was entrusted with the most confidential secrets, and that he was respected by foreigners as the emissary of a great and hopeful prince is evident from the fact that James VI. of Scotland addressed an autograph letter to him from Stirling, and that Maurice, one of the sons of the Prince of Orange, stood godfather to the child that was born to him in Flanders. It must not be thought, however, that the profession of arms was wholly foreign to the secretary; he had his share of it as well as of the forced marches, ambuscades, and the other concomitants of war. Here is the account of an attempt to surprise Toulouse.

'M. du Plessis had formed (*basty*) a design upon Toulouse, and before he would say anything of it to the King of Navarre he would go himself to reconnoitre; wherein he met with many contrary accidents. Arriving in the evening at about a league from the city, and being unarmed, a hamlet through which he passed, called St. Geniz, took alarm, and arming against him made it difficult for him to reach its gate. The house to which he was to repair he found held by the Sieur de Verdall, colonel of the infantry of M. de Joyeuse: so he had to go further. The signal too had been given from St. Geniz, where a flaming barrel had been set up in the belfry, so that the whole district was up, horns sounding in every direction, and all the roads blocked. As he could not make any reconnaissance that night, he went on to Foix, where at the house of M. de Benergue he was well received. . . . . The next day, crossing the Garonne above Toulouse, he pushed on horseback beyond the islands, to the spots which he wished to examine; and he saw these from so near and by so beautiful a moonlight that he was able to report the matter to the king as highly feasible.'

The lady who drew this picturesque sketch of the bold rider threading his way through the banks and islands of the moonlit river in the neighbourhood of hostile bands, had herself led a wandering and uneasy life, too often divided, as she complained, from the companionship of her husband by the troubles of the times; now giving birth to a son in Flanders, now burying a babe of three months at Nérac in Gascony. She kept up her courage, however, and made for herself friends wherever she went out of all who were noblest either in birth or in manners; she seems to have been as fond of society as she was of letters, and she never omits to tell us, when she enumerates the godparents of her children, that such a one was '*un grand de Hespagne*,' or that another was, better still, '*une femme de grande vertu, et qui mesmes a escrit quelques choses.*'

We come now to the events of 1588. By the death of the Queen Mother, and still more by the murder of the Guises, the complexion of public affairs was greatly altered, but the rigid virtue of Philip du Plessis forbade him to rejoice in any advantage gained by a crime. His master could not take so purely ethical a view of the case; '*c'est trop de sens froid sur une telle nouvelle*,' he exclaimed, when Mornay's letter reached him, and yet so entirely did he trust the devotion of his secretary that in the following April he bestowed on him the governorship of Saumur. To that town on the banks of the Loire, Monsieur and Madame du Plessis accordingly repaired in 1589, and there they established themselves, to connect hencefor-

ward the city, the square fortress, and the abounding river with the memory of their joint lives, of their great bereavement, and of their still greater reverses. So closely connected did he become with that great Protestant city, that Sully (who never liked him) speaks of him as the 'Roi de Saumur,' and hints that he aspired in his government to a complete independence of the King's authority.

As every tide now seemed to float Henry of Navarre nearer to the hour of his triumphant success, and to the possession of the French throne, so it might have been thought that each trouble shared, each danger passed, was but the more likely to strengthen the bond between him and his faithful secretary. 'I could sooner do without my shirt than without Du Plessis,' declared the King. 'Religion too,' he said, 'was, for those who had known what it was, not to be put off like a shirt. It is within the heart.' Brave words: and when the future sovereign of France first wrote from the camp before Paris to tell the governor of Saumur of the crime of Jacques Clément and of the death of Henry III., no doubt but he would then have sworn to make them good against all comers and all turns of fortune. Apart, however, from the inconstancy of human friendships, and from the too frequent ingratitude of royal masters, there was a cause at work which was ultimately to break the tie to Du Plessis-Mornay in a way which he would have been the very last to suspect. That new development of French Protestantism to which we have just drawn attention, that double kingdom and that indomitable spirit which ever since the St. Bartholomew it had begun to exhibit, were manifestations which had not, though he had himself been in the vanguard of the movement, escaped the sagacity of the Béarnais.

He saw the road open before him now to the throne of a kingdom in which compactness and unity were essentials. He had proved in his own person how over-ready were foreign powers to make a tool of the Huguenot cause for the disturbance or dismemberment of France, and laying his experience to heart, he determined never to be the stipendiary or auxiliary of any foreign power. Brought up a Protestant, he had also been brought up a student of that ancient history which inculcates patriotism as a virtue, and treats it as in itself a worship.* What Philip Augustus, what Louis IX., and what Louis XI. had done towards the foundation of French unity, he would outdo. He would be the king of the hearts of his people, and such a kingdom he said to himself was surely worth more than a mass. Thus sceptical, or indifferent, or only very wise in his generation, this prince, though living in an age of controversy, piety, and persecution, believed only in the influences of moderation, popularity, and prudence. If he found his kingdom torn and divided, he had a mind to leave his beautiful but distracted France consolidated, peaceful, and great, and if with a view to such an aim he cast a glance on the position of the Gallican Church, that glance sufficed to show him that he must choose to have her either as a friend or as a foe. Now that Church held in her possession 40,000 fiefs or arrière-fiefs of the kingdom. She was a great territorial, aristocratic, and feudal power; but she was more—she was a thoroughly national institution (how national the attitude of Bossuet towards the Holy See was yet to exhibit); she was no effete, or worn-out body, but pregnant with statesmen like Richelieu, prelates like Fenélon, orators like Bossuet, scholars like Pascal, philosophers like Descartes and Malebranche, almoners like St. Vincent de Paul, and saints like the ladies of Port Royal. Such and so many children were yet to spring from her side. A short-sighted politician might have misinterpreted the signs of the times, and augured from them falsely of her future; might have deemed that the great movement of the Reformation, so widespread and so respectable, would sooner or later sap the strength of the Gallican Church; but Henri IV. read with greater discernment; he saw that in a trial of strength between the two elements Catholicism would win, and he determined to reign, to marry, and to die only as a most Catholic king. The decision may have been a politic one; but it is difficult to compute the cost of that sacrifice of principle to the permanent interests of France.

Du Plessis-Mornay could not view the subject in this light. To him it was just such a crime as the '*gran rifiuto*' appeared to Dante; it was a preferring of darkness to light; it was treason to the Gospel, and to the names of thousands of Huguenots dead already in the profession and for the profession of the Reformed faith. It was the eclipse of all his hopes that one day Protestant principles would be as supreme in France as they already were in Holland, Switzerland, and England; and it soon began to appear to him, what it indeed was, so far as he was personally concerned, the beginning of the end.

* A very curious autograph letter of Henry's to Jeanne d'Albret is preserved in the collection of M. Feuillet de Conches. In it he tells her of his studies in Plutarch, and thanks her for having so early and so steadily directed his attention to the '*Lives*.'

The rupture between the King and his former secretary did not come all at once. In the arrangements for the Edict called of Nantes, by which religious toleration was secured to the Huguenots, Du Plessis was consulted. His biographer says:—

'The journey which M. du Plessis made in the end of April was by express command of the king, who after several delays having decided on a visit to Lyons, and going by way of Dijon and Troyes, he desired to meet with M. du Plessis before going farther. . . . . His majesty received him with more demonstrations of goodwill and private intimacy than ever; the gentlemen of the court likewise.'

But later the wife's tone changes. Her husband left her in the autumn of 1599, to meet his sovereign:—

'When I pray God to bless him in matters both public and private, ... M. du Plessis kissed hands. The king had not seen him since the death of the Duchesse de Beaufort, and it was to be noted that of his regrets he said not a word, though he had been wont to make his plaints to those who came to his court.'

'The little rift within the lute' was certainly there; it only remained that slowly widening it should indeed 'make the music mute.' After the conference of Fontainebleau it became wide enough:—'*Fut donc amené M. du Plessis en suite de ci-dessus* (of his publishing a work on the Eucharist) *à la prétendue Conférence de Fontainebleau, au* 4 *mai* 1600, *de laquelle la tenue et procédure sont déduites en un discours exprès que M. du Plessis mesme en fit tost après son retour à Saumur.*' In this brief sentence, of which we have preferred not to alter the dry and rather scornful idiom, lies the whole secret of the rupture.

Philip du Plessis-Mornay, when summoned to this conference to hear and to answer questions on his book, was confronted not only by the Bishop of Evreux and the clergy, but also by the King; and it was no small effort for him to have to show that dearer to him than any smiles of princes and prelates was what he held to be pure and sovran truth in the face of a superstitious error. The Bishop of Evreux and his compeers, forgetting or overlooking the very different signification once intended by the word '*substance*,' frankly demanded a reception for the doctrine of transubstantiation as taught by the Council of Trent: viz. for the corporeal presence in the Eucharist of the whole substance (matter and form) of the Body of Christ, by virtue of a miraculous power of consecration residing in every celebrant. This the Huguenot denied, since he beheld in the Sacrament only a pious and thankful commemoration of the death of Christ; and in anxiety to get this opinion of his friend's condemned, the King seemed curiously able to forget that he had ever himself been a professsor of such a tenet. Perhaps the disputants did not wish to come to terms, or even to modify the expression of their dissidence; certainly no healer of the breach was there to give a less material meaning to the '*substance*,' in dispute, or to suggest to Du Plessis that a Divine Presence in the 'creatures of bread and wine' might be spiritually discerned. The King, so far from mediating in any way, rather hurried on an unfavourable verdict; the book was condemned, and the author left the place, dispirited and ill, 'partly,' says his wife, 'from overwork, partly from the heart-break (*crêve-cœur*) of seeing himself so treated, but above all, that all that he had dreamed of for the instruction of the people, and for the edification of many, should have turned to trouble and scandal, to which he would have preferred a thousand deaths.'

Sully's account of this disputation is not favourable to Du Plessis, in spite of his own Protestant sympathies and convictions. He had endeavoured, but in vain, to prevent the encounter by the King's authority. Du Perron, the Bishop of Evreux, was no bigot, but he succeeded in showing that Du Plessis had erred in many of his citations, and that he had not thought enough upon the subject. 'La chose se passa ainsi qu'un chacun sait: Du Plessis se défendit à faire pitié, et en sortit à sa honte.' 'What do you think of your Pope?' said Henry to Sully during the argument, 'for Du Plessis is among Protestants what the Pope is to Catholics.' 'I think, Sire,' replied the sage Minister, 'that he is more Pope than you imagine, for he is at this moment giving a red hat to M. d'Evreux. If our religion had no better support than his crossed arms and legs, I would quit it instantly.'*

Du Plessis returned to Saumur, to a government once bestowed on him by a friendly and grateful master; and there he attended to its affairs, but unluckily not in silence. He published, as Madame Charlotte tells us, an account of the conference, of its sentence, and of its injustice. The King was incensed by this publicity, and himself so long faithless in the spirit, he brought a charge of faithlessness against his secretary, deprived him of the superintendence of the mines, and disgraced him.

The account of M. du Plessis' sufferings both in mind and body is pathetic in the

* 'Mémoires de Sully.' Livre onzième.

extreme, but our space does not permit us to trace out the consequent reverses of the governor; neither does it allow us to describe either how his great school rose at La Flèche, or how it was ruthlessly destroyed by a king who wished to hand it over to the Jesuits, or yet how he laboured at the formation in Saumur of one of those Protestant academies which then adorned the provincial cities of France. Of this college (as of its contemporaries at Die, Vitré, Castres, Orthez, Sedan, Nismes, and La Rochelle) no trace now remains, and yet this was but one out of the many schools full of vigorous intellectual life which were lost to France by the revocation of the Edict of Nantes. Of the whole number Montauban alone remains. In Saumur all memory of the academy has faded, though the name of one street in the town certainly points to the presence of a Protestant '*temple*,' and another yet recalls its old Protestant governor, Philip du Plessis-Mornay.

There at Saumur, where he continued to dwell after his disgrace at court, his domestic troubles also greatly increased. In October, 1605, his son Philip, the one for whom Madame Charlotte wrote the memoirs, was killed in battle in Flanders. 'Blessed close of life,' cries the heart-broken mother, 'for one born in the Church and brought up in the fear of God to fall in action, and in an honourable cause; but for us his parents only the beginning of a grief that can but end with our lives.' This prediction was soon verified. Madame du Plessis never recovered from the shock; and in a month after the funeral of their heir, her husband found himself in constant attendance at her death-bed. Her pen had been laid aside:—'Reasonable it is,' she wrote on the last half page, 'that this my book should close with him, since it was only undertaken to describe to him our pilgrimage through life; and it has pleased God that ere this his own should more sweetly and swiftly close. Were it not that I dread the grief for M. du Plessis, I should be greatly wearied if I also survive him.' She did not survive him, since she died on the night of Sunday, 14th of May, 1506:—

> 'Non, ce n'est point mourir;
> C'est courir à la vie,'

her husband said; but then, in spite of this sure and certain hope, his grief broke out again:—

> 'Âme, pour te chanter il me faut des sirènes,
> Âme, pour te pleurer j'ay besoin de fontaines.'

As the years went on his prospects did not brighten, and at last he left Saumur. He bade farewell to the black impregnable castle that stands above the river—to the westering links of Loire as they disappear into the Forest of the Nyd d'Oyseau—to the temple where he had worshipped, and to the narrow streets above whose sombre courtyards the shadow of his historical griefs still seems to hang. He retired to his estates, and to the Castle of La Forêt-sur-Sèvre. There he fell a prey to the triple evils of solitude, sorrow, and ill health; and he was harassed by petty squabbles among the pastors of his church. In his despair he determined to travel, concerned only that, wherever it might fall, some pious stranger should bury his body, and record that the exile had died as true to his convictions as to his king. This last was a needless care, for he never left France. Death came to him there to unriddle the mystery of such an unsuccessful life; and he sickened at home in November, 1623, of what is called 'continued fever.' Preachers and physicians crowded round his pillow. The latter were helpless, and the former were pitiless, harassing his departing spirit with small quarrels and doctrinal niceties. But at last one pastor more humane than the others, told him that he was dying. 'It is well,' he replied; 'I am content.' He gave his blessing to his children, and to the church that was in Saumur, forgave his enemies, and made himself ready for the end: and then as the grey and cheerless November dawn struggled up above the leafless forest trees, his spirit took its flight to the home of the saintly and the victorious.

The Church for which he had laboured and suffered was just entered on the enjoyment of her hundred years of peace, to be awakened from her repose by the revocation of the Edict of Nantes, and then to be cast out of France as a thing heretical, unnational, disloyal, and accurst. It was a mistake at which humanity shuddered at the time, and which history has had ever since to deplore. By an act of tardy justice, the legislation of the 18th Germinal (in the tenth year of the Republic) secured to French Protestants equal civil rights with the rest of their countrymen, and they have ever since been allowed a fair share in the State. What has been the result of a measure which kings so long thought to be either dangerous or impossible? The late war furnishes an answer to the question. Foremost in all works of mercy the Protestants and their pastors have taken their part, or more than their part, in the care of the wounded and the dying; and Protestants of Alsace, forcing their way through lines of

watchful Germans and by the defiles of the Vosges, joined the levies of the east of France in sufficient numbers to justify M. Erckmann's boast, that he and his coreligionists are French in spirit and in love. Furthermore, we hope that it is not to trespass too much on private feelings if we venture to recall one fact connected with this new edition of the Memoirs of Madame de Mornay. Since it saw the light in 1869, the accomplished lady who prepared it has herself had to send to the ramparts of Paris all the males of her house, with the single exception of her father, that veteran statesman of eighty-three, who still serves France with his energies, while he represents her in all that the country has of best. To lay down Madame de Witt's volume at this moment is but to turn, we confess, from one sad page of past French history to another only too vividly present. But if in the sixteenth century frantic passions could be calmed, guilty excesses repressed, and internal wounds healed, as we know them to have been by the prudent, powerful, and economical government of Henri IV., surely in the nineteenth century we need not altogether despair. Yet may France venture to borrow a motto from one of her old Huguenot houses, and live to prove what the De la Tremouilles once carved upon the walls of Vitré, '*Resurgam!*'—although in her long and varied history she has not experienced a crisis of disaster and revolution more terrible than that of the present hour.

Art. VIII.—1. *Ierne.* A Tale. By W. Steuart Trench, Author of 'Realities of Irish Life.' 2 vols. London: 1871.

2. *Irish Federalism: its Meaning, its Objects, and its Hopes.* By Isaac Butt. Dublin: 1870.

It is generally admitted that about forty years ago there was hardly any country which afforded to the sketcher of human character a more picturesque and original field than Ireland. The social anomalies engendered through the whole frame of society by unequal laws, gave an unbounded variety of play to the Celtic temperament, and presented to the novelist and poet a greater mixture of lights and shadows than could be found in happier lands or in less turbulent times. To the inspiration of this exciting period we owe all the best Irish novels; for it is more than a generation since we began to be entertained with the graphic and amusing illustrations of Irish life and manners by the Banims, Carleton and Griffin, the Munster legends of Croker, and the traits and stories of Barrington, Otway, and Lover; and we must go back still further to the romantic tales of Lady Morgan and the unsurpassed Irish pictures of Miss Edgeworth. The conditions of Irish novel-writing have since become less favourable; for English law, by reducing to order a most formidable scene of confusion, and introducing vast changes and ameliorations which have touched every nerve of Irish social life, has put an end to the more startling contrasts, and all but destroyed that sort of picturesqueness in which, as Sydney Smith observed, utility and order are the last ingredients. Besides a great change has come over the temper of the Irish people during the last thirty years. It was always considered strange that a race existing for ages under conditions that might well darken the lot and sour the temper of any people, should have possessed a temperament so lively and mirthful—'*Miraris, tam exhilaratam esse nostram servitutem?*'—yet there are indications that the thoughtless and warm-hearted gaiety, which the weight of adversity could not crush, has yielded to other influences, and that, to use the words of an Irish novelist, 'the native humour of the people is not so rich and racy as in days of yore.' Whether we may trace this change to the famine, or to emigration, or to political and religious causes, the fact is undoubted that the Irishman has become more bitter and more sad than his ancestors of former generations. It would be all but impossible to find now in the south of Ireland—and certainly not in any modern Irish novel—the peasant of Sir Jonah Barrington, so full of sportive eccentricities, irascible but good-natured, furious without revenge, and violent without animosity, using a language replete with the keenest humour and the rarest idiom of equivocation. Englishmen, with their scanty knowledge of Irish character, too fondly anticipated that, after the liberal legislation of forty years, we should reap an ample harvest of gratitude and confidence, that the strenuous old impulse of opposition would disappear, and that feelings of resentment and distrust would die out under the many proofs of English anxiety to do justice. After all our practical and well-sustained efforts to conciliate Celtic good-will, we certainly were not prepared to find the masses of the people still so unreasonably and ferociously bitter in their hatred, though it only illustrates the truth that real grievances are often borne without complaint where ima-

ginary ones are intolerable. We can make allowance for a certain lingering touch of ancient perversity, but the case of the Irishman seems to be peculiar beyond all precedent. He argues that because the English persecuted and dispossessed Irish Catholics generations ago, when English Catholics were also more or less exposed to persecution, and when liberal opinions had scarcely any control over imperial legislation, therefore England is still the implacable foe of Ireland, scarred with the wounds of her long martyrdom and still clanking her chains. Mr. Gladstone probably imagined, especially after the sweeping legislation of the last two years, that he had reached the close of one painful chapter in our political history, and that he had totally set at rest the questions that had divided England and Ireland for centuries; but we now find that instead of hailing with joy the termination of ancestral disputes, our Irish neighbours and fellow-countrymen deem it necessary as well as patriotic to invent or discover topics and pretexts for keeping alive at least a semblance of the old antagonism.

These facts indicate an undoubted change in the temper of the Irishman which cannot but affect the work of the novelist, and affect it unfavourably. All the more recent Irish productions of this class are equally remarkable for their deficiency in humour, raciness, and invention. There is no Banim or Carleton now springing from the ranks of the peasantry to throw light upon the modern aspirations of the mobile Celt; there is no writer possessing the vigour of touch, the vividness of colouring, and the graphic faithfulness of these novelists, whose chief excellence lay in the fact that their portraits of Irish character were evidently drawn on the spot. But there are indications that we are threatened with a class of novels which are simply disguised pamphlets, broken into chapters, and interspersed with dialogues, designed especially for the inculcation of some theory in politics or social life. Some of these novels seem expressly written to keep alive in Irish memories the story of the penal laws, in the interest of the Catholic religion; others rake up and misrepresent the records of departed centuries with apparently no other purpose than that of acting on the sensibilities of an imaginative people; and others set themselves to the foolish and mischievous task of convincing the Celt that he can never be prosperous or happy till the restoration of his old Brehons, and chieftains, and tanists, and harpers, and imagine they have accomplished a patriotic task in attempting to perpetuate two codes of opinion, two irreconcilable societies in one kingdom.

The work which we have placed at the head of this article is a tale from the pen of Mr. Walter Steuart Trench, an Irish Protestant land-agent, whose former volume on 'The Realities of Irish Life,' noticed in the pages of this Review, proved his intimate familiarity with many of the more curious and savage phases of Irish existence. We can hardly understand the design of the present work, for although the author has evidently no sympathy with National politics, his book can hardly fail to inflame the national feeling by presenting a series of discursive dialogues upon the history of Irish wrongs in which he allows nearly all the advantage to the side of the passionate Celt. We question the wisdom of publishing works of fiction which, whatever their design, seem only fitted to stimulate that morbid discontent that is ready, like a chronic sore, to break out upon all occasions. Mr. Trench would have been better employed in exposing the delusions and falsehoods by which the Irish masses are daily misled, and the errors into which they are betrayed by a host of malignant writers; for there is nothing they so much need as a literature that will be at once a corrective of social evils and a sedative to political disquiet. The object of 'Ierne' is to describe the faith of the Irish peasantry in their indefeasible ownership of the land, and their protest against landed property as defined and protected by tradition and law. Mr. Trench has written an interesting novel on this theme, presenting us with its various elements in an animated succession of illustrative scenes, touched with considerable force of description. We are bound to give him credit for fidelity in the description of manners, with which he is well acquainted; and we must suppose that the wild and improbable incidents he has strung together without much art, are not of impossible occurrence in the South of Ireland. But we must say that such a state of manners—such treachery, pugnacity, superstition, and cruelty—is more characteristic of the savage tribes of America or Asia than of a Christian people in Western Europe; and that in no other part of Europe could such incidents have occurred without calling down upon their authors prompt and condign punishment. It would be more agreeable to suppose that Mr. Trench has done his countrymen injustice; but certainly if his book is intended to convey to us a picture of what the Irish conceive to be unpardonable wrongs, it does not present us with an attractive picture of the Irish character.

The scene of the story lies principally in the south-west of Ireland, at a romantic spot in Kerry not far from Kenmare. Derreen,

at the head of the harbour of Kilmakilloge, is the picturesque residence of Donald O'Sullivan, an Irish chieftain of moderate means, who is descended from the great O'Sulivan Beare, once the owner of the Castle of Dunboy and a million of acres around it. The story opens about ten years ago. Young O'Sulivan attends a midnight assembly of the Phœnix Society, in company with Teague O'Hanlon, his foster-brother, on the summit of the Priest's Leap Mountains, on the boundary between Kerry and Cork. When he demands to know the purpose of the meeting, he is promptly answered, 'They were met to put all tyrants down, and to get back the lands of Ireland again to them that owns them by ancient right.' O'Sulivan questions the wisdom of any immediate attempt to cross swords with England, on account of the backwardness of American sympathy, and the opposition of the priests to any revolutionary movement. But his auditors resent such cautious counsels and charge him with treachery to the national cause. A fight ensues, and O'Sulivan escapes with difficulty to his home. We are then introduced to the O'Sulivan household, which consists of two brothers, Donald and Redmond, and two sisters, Kathleen and Ierne, who are, of course, highly patriotic in their sentiments, having from their youth imbibed the passions and the creed of the population around them, brooding over the ancient confiscations, and looking wistfully, but with little hope, for some turn of fortune that may reinstate them in their ancient possessions. Ierne, the heroine of the tale, is handsome and seventeen, carrying, as we suspect young Irish ladies are seldom in the habit of doing, a highly-wrought dagger in her girdle, along with a tiny revolver, and a pea-rifle slung gracefully over her shoulder. She goes out to the mountains with her dogs, and meets with a young English sportsman, who is attracted by her beauty and charmed by her vivacity. He accepts an invitation to Durreen for the night, and his stay is pleasantly prolonged for a number of weeks, during which he mingles in the amusements of the place, takes his share in a number of boating adventures along the Kerry coast, visits many interesting scenes in the company of the young ladies, and receives a large amount of instruction from both sisters and brothers on the iniquity of the past relations of England and Ireland. As he has come to Ireland to make himself acquainted with the ways of the people, he attends the faction-fight of Kilmakilloge, and 'wrastles a fall' with the leader of the O'Gallivans. Soon after he fights a duel with young O'Dempsey, an admirer of Ierne, who is evidently jealous of his presence at Derreen, and the wound he receives puts him for some weeks longer under her gentle care. The result is that the young Englishman falls deeply in love with the young Celtic beauty. About this period, Teague O'Hanlon, who had been arrested some time before for his connexion with the Phœnix Society, is put on his trial in Tralee; and, observing the Englishman in court, he makes a touching appeal from the dock for the benefit of the Englishman's evidence. This unexpected summons obliges the stranger to drop his incognito and announce himself in court as the Earl of Killarney, well known as one of the largest English landowners in the country. But his evidence is of little account, and the prisoner is convicted of conspiracy. Then an extraordinary scene occurs in court. Owing to the masterly contrivance of James Stephens, the Fenian plotter, who is the *Deus ex machinâ* of the hour, Teague, at the moment of receiving sentence, escapes by springing out of the dock, passing rapidly through a lane formed by his friends, and gets off to sea with Stephens in a boat. Shortly after, he finds his way to the house of his cousin, Murtagh O'Brien, in Tipperary, where he passes several months 'on his keeping.' The scene now changes to Tipperary. Lord Killarney leaves Durreen to visit his Tipperary estates. The Ribbon Lodge, which sits in Murtagh O'Brien's house, immediately holds a meeting. Alarming reports have got abroad that the new landlord is 'mad for building and draining and all sorts of improvements'; but the Ribbonmen are resolved to prevent all changes whatever, on the ground that they tend to obliterate the old landmarks that serve to identify the ancient properties, and would make it difficult, when the time comes for expelling the Saxon, to fix the ancient race exactly in their old lots. The agent, Mr. Snugg, tries to dissuade his lordship from any attempt at improvements; but the young peer is fully resolved to spend four thousand a year in draining, and building, and improving the land. A placard announcing this intention is posted up over the estate, but is immediately torn down. The Ribbonmen send a threatening letter to Tom Duffy, the bailiff, who has undertaken to carry out the improvements; the winter comes; the bailiff is shot dead at his own door; Lord Killarney chases the murderers across the country on horseback, and at last confronts the principal, Black Hugh M'Shane, in a wood, but only to be felled to the ground by a blow from the butt-end of the ruffian's pistol. The culprits escape, and the Ribbonmen now determine to shoot the landlord. Teague O'Hanlon hears of the design, and escapes back to Kerry to tell Ierne

Three armed Ribbonmen are lying under shelter of a wall, in a plantation, prepared to shoot Lord Killarney on his way home from the Sessions; but the sight of two white figures—one of whom is Ierne—passing through the wood in the gloaming of evening, terrifies the superstitious peasants; while a picket of armed policemen surrounds the wood and closes in upon the gang. Black Hugh M'Shane is shot dead, and Lord Killarney escapes. We next meet his lordship in London, where he accidentally meets with Ierne, who declines to marry him on account of his religion. Five years pass away; Lord Killarney is on foreign travel; he visits Australia, where he once more meets Ierne with her brother; and as she has since changed her religion, there is no further obstacle to her becoming the Countess of Killarney.

The political interest of Mr. Trench's work turns upon the eager longing of the Irish for the recovery of the forfeited estates. 'This,' says one of the leading characters, 'is our real grievance; this is the root and origin of all our sorrow; the people have set their hearts upon it, and would fight for it to the last drop of their blood.' There can hardly be a doubt that the great bulk of the peasantry do regard the whole system of landed property in Ireland as an alien institution, and all its rights as only enforced by conquest and maintained by a foreign Power. For the old Brehon law is still deep in the hearts of the Celtic people. They know that it recognised no absolute property or fee-simple in land; as the land virtually belonged in ancient times to the entire sept, the chief being little more than managing member of the association. Strange as it may seem, it is only by a long career of agrarian outrage that the life of this ancient law has been preserved in the country. The doctrine of the Irish peasant as to land differs not materially from that which has been revived by the late M. Proudhom in revolutionary France, under the celebrated aphorism, '*La propriété, c'est le vol.*' He conceives that the property of one man is the robbery of all other men. But he forgets that all he himself possesses, and the right of property itself, is the creation of law, in his eagerness to resist and overthrow the laws which protect the property of other people. He is sawing at the branch on which he sits; and he does not perceive that when the right of property is destroyed he must himself share the fate he is preparing for the rest of society. For with singular inconsistency, whilst he denies the right of property in the landlord, sanctioned by a prescription of at least two centuries, he is peculiarly tenacious of the right of occupation in the tenant, as against the rest of the world.

This notion of recovering the forfeited estates is, after all, a mere sentimental delusion, which has been studiously inflamed by Irish national writers. The crime of the old confiscations has always been laid at the door of England; but national writers ought to have had the fairness to explain that they mostly sprang out of the treachery of the Irish chieftains themselves. When O'Neill and O'Donnell accepted their patents from the English king, they were fully aware that they were thus conveying the whole tribal lands out of the dominion of Brehon law, and constituting themselves the absolute possessors of all, in the sense of modern English landlordism. Their object, as well as that of the Crown, was to introduce the English law of inheritance in their own favour. Then, as soon as they took up arms against England, the confiscations became perfectly legal, and the lands of the Celtic tribes passed into foreign hands. No doubt the title of the present owners is, in many cases, based on forfeiture; but do national writers ever consider on what the title of the claimants—the whole Irish people—is based? What individual Irishman can now prove that he had, through his ancestors, any right, however long dormant, to any particular estate or piece of land? The thing is impossible. On the contrary, occupation is the basis of the claim of the Irish tenants, which is the reverse of a dormant proprietary right.

Nor can this question be settled by considerations of race; for the great bulk of the modern Irish are sons of the Saxon of the third and fourth generation. It is an undoubted fact that, through almost the whole country, the blood of the British settlers predominates.* National writers cry 'Ireland for the Irish:' but they do not decide who were the first occupiers of the island. It may have been that parricidal Greek, from whom some Irishmen, glorying in antiquity of race, would fain be descended; perhaps the adventurers from the shores of the Euxine who succeeded and subdued the Greeks; perhaps the Spanish king and his sons who took their turn of conquest. But this uncertainty is not allowed to extend to modern times; for, according to national authorities, everything is illegal that has happened within the last two hundred years, and the present proprietors have no legal right to the soil. Here

* In Sir John Davis's time, one-half of the Irish people were of English descent; but in that of Molyneux, not one in a thousand, as he tells us, was of Irish blood.

the advantage of not inquiring too curiously into historical antiquities becomes apparent; because, as it is clear that the present owners are not the legal proprietors, and it is uncertain who the legal proprietors really are, it is only common honesty in the Irish tenant, following the advice of Nugents' Almanacs and Repeal journals, to keep the rent in his pocket till the rightful owner turns up. This radically false notion of property and possession is believed by Mr. Trench to lie at the bottom of all the agrarian murders; and these crimes have sometimes been represented by Irish writers as a species of warfare carried on by *Francs tireurs* against the invader, though more frequently the victims are of the same blood as the murderers. It has been said that 'crime has less depravity and murder more of suavity' in Ireland than elsewhere; and it is urged that shooting a landlord becomes a less odious crime when the perpetrator has learned to believe that the landlord is an usurper without legal right to the soil. It is evident from the very effective description which Mr. Trench gives of the agrarian tribunals of Tipperary both in this work and in his former work, that they are intended to administer a sanguinary custom not entirely wanting in principle or in consistent application. They remind us of the terrible Vehmgericht of Westphalia, pursuing their career in silence and executing their awards with fearful promptitude and certainty; and Mr. Trench would have us believe that all this is done with the simple object of checking the obliteration of the ancient landmarks, by which properties might be identified at the restoration of the estates. We are not convinced of the truth of this horrible theory; but there are a thousand proofs that men will not recoil from the crime of murder, and will even murder very innocent persons, when their detestable actions serve a purpose or gratify a passion, *provided they can be committed with impunity.* Whatever may have been the original incentive to these crimes, it is their *impunity* which is the actual cause of them. Probably as many crimes would be committed elsewhere, if bad men found they had as fair a chance as they have in Ireland, of escaping punishment. That is the opprobrium of the Government and the curse of the country; and we are happy to perceive that Lord Hartington appears to have entered on his office as Irish Secretary with a strong sense of the duties he has to perform. The Land Act has conferred great benefits and rights on the tenant-farmers of Ireland. If those benefits and rights could be suspended or abrogated in localities tainted by recent murders, the authors of which remain undiscovered by the connivance of the peasantry, or if that guilty connivance or harbouring of criminals entailed a forfeiture of the rights of occupation, the whole population would be interested in rooting out such offences, and it is the belief of persons intimately acquainted with Ireland that these crimes would cease.

Mr. Trench believes that the delusive expectations and criminal conspiracies of the ignorant masses will yield eventually to legislative remedies. The words he puts in the mouth of Redmond O'Sulivan evidently express his own deliberate opinion:—

> 'If once a land bill is passed on the principles above alluded to, no matter how liberally and generously the tenant may be dealt with, or with what bonds the landlord may be controlled, a seal is set for ever on the present settlement of Ireland. The Williamite settlement, the Cromwellian settlement, the Elizabethan settlement, and the Strongbowian settlement of the land is established for ever against the hapless Celtic population. Their dream is gone, and the forfeited estates are for ever handed over to the Saxon whom we can no longer call a stranger.'

Undoubtedly the large concessions made by the Land Act of last Session to the tenants in Ireland, do give the law a hold over them which it did not possess before, since they themselves must appeal to it for security and compensation. Hence it may be inferred that recent land legislation will gradually but surely destroy the very life of the old Celtic system, through its masterly conciliation of the multifarious and conflicting interests which attach to the possession of Irish land. But the effects of this legislation must have time to work, and time is exactly the very element which, judging by the indefatigable zeal which sustains Irish agitation, will not be allowed to the development of its just and statesman-like principles.

It may seem at first sight a matter of little consequence to us, whether the Irish masses do or do not cherish this sentimental delusion concerning the land. But unhappily every agitation in Ireland brings to the surface certain irrepressible ideas, which in turn have the effect of sustaining and cherishing the agitation. The nationalist motto has always been, 'The re-conquest of our liberties and the re-conquest of the land;' and the one as necessarily involving the other. In 1848 the motto was, 'The soil of Ireland for the people of Ireland;' and one of their organs gave expression at the time to this Celtic aspiration: 'A mightier pas-

sion nerves old Ireland to-day than that of merely repealing the Act of Union: 'not the constitution that Tone died to abolish, but the constitution that Tone died to obtain—the soil of Ireland for the people of Ireland.' Every one of the national journals in 1848 taught that landed property should be taken from the present proprietors. Now, when we remember that the only reply Ireland has yet given to the Church Bill and Land Bill—both of which were denounced in unmeasured terms by the national press—is a new agitation for home-government or a repeal of the Union, and that the masses do not seem to care any longer for the redress of particular grievances, but seem rather to say, as one of their literary representatives has said: 'They would rather have bad laws of their own making, than good ones of ours; that they would rather be badly governed by themselves than well governed by us;' and further demand, as the price of their allegiance and tranquillity, concessions which are simply and obviously impossible, as well as pernicious and suicidal; we cannot regard their prejudices or delusions as of little practical moment. If there be any truth in Mr. Trench's account of Celtic aspirations, 'the re-conquest of their liberties' might lead, in some moment of English weakness or confusion, to 'the re-conquest of the land.'

The inauguration of this new agitation is disappointing to English statesmen. It seems to say that the policy of equal justice without bribery or favouritism is insufficient to disarm disaffection, and that England, after all, might have been as well employed if she had never taken a single step to redress real and undeniable grievances, or had met Irish complaints with insults and menaces. But we must comfort ourselves with the thought of M. de Tocqueville, that 'it is not always by going from bad to worse that a country falls into revolution;' for it often happens that a nation which had endured the most crushing laws with seeming insensibility throws them off with violence as soon as the burden begins to be diminished. This new agitation for a home government to effect what the Imperial Government is either unable or unwilling to accomplish, would be of no practical consequence whatever but for the adhesion of a section of the Irish Protestant party. We are informed by Mr. Isaac Butt, who favours a federal union of the Empire, that all that is demanded is a local House to deal with purely domestic affairs,—'the present state of feeling in Ireland offering to Irish patriots at least a hope of uniting all classes and creeds of Irishmen in a national effort to win self-government for their country.' It appears that more than four hundred gentlemen, including landed proprietors and mercantile men of high standing, Protestant and Catholic clergymen, and men of political opinions generally supposed to be irreconcilable, have formed themselves into a committee to achieve this great national object. The plan proposed by Mr. Butt is that while the present Irish members of Parliament are to continue to attend at Westminster, three hundred other Irish members are to dispose of all purely Irish business by themselves in Dublin. The system of federalism is to be extended to England and Scotland if these countries should so desire.

We believe we are correct in stating that this movement had its origin in the wounded pride and sour discontent of a knot of Irish Tories who cannot forgive the disestablishment of the Irish Church. Their tergiversation is certainly one of the worst modern instances of political immorality. Very recent, indeed, has been their conversion to the principles of Irish home-government. We can easily understand changes of opinion that are grounded on new experience and wider knowledge, and so justified by the purest motives and the clearest necessity that we must regard them as indisputable instances of honest conviction and patriotic virtue; but there are other changes so audacious, so sudden, so unfounded in additional facts, and so distinctly traceable to the one circumstance of altered position, that it is impossible for the largest charity to regard them with indulgence or approval. The Irish Tories were always the most forward to oppose the Repealers, on the ground of the benefits derived from a connexion which, by identifying the Irish people with a great and powerful nation, had imparted to them the full benefit of wise and equal laws, and secured them at once against the evils of domestic anarchy and foreign subjugation. They were usually very anxious to show that whatever sacrifice such a connection might have originally involved, it had been already made, while time, wisdom, and conciliation were only wanting to develope its blessings. But even before the Union, when the old Tory oligarchy of Ireland was a really foreign Government, ruling in the name and sustained by the power of England on the theory that it was the sole security for the connexion between the two countries, the effort of these Tories was always to prevent any large measure of policy for the benefit of the whole nation as tending to take the country out of their hands. And so long as they were specially favoured by the English

Government since the Union, they always tried to intercept every good thing which they could not render profitable to themselves. But it is only now since the course of ancient legislation has been reversed, that their eyes have at last been opened to the evils of foreign government, and they enrol themselves in the ranks of Irish patriots. Well may a 'Protestant Celt' remark that the Irish Church Establishment 'stood for years as a great boulder in the middle of the stream of public opinion dividing it in twain.' But the position of the Orangemen is still more extraordinary and perplexing. They had always boasted themselves as the stoutest supports of the British connexion, and had armed themselves in 1848—at least rumour said so—to crush the Repeal insurrection; but now that—to use their own expression—they are basely betrayed and shamefully deserted by the English Government, they need no further arguments to convince them that a connexion with England is no longer desirable. At a meeting of the Grand Orange Lodge in February last, an attempt was made to repeal a fundamental law of the society which prohibits the advocacy of Repeal. The question was discussed with great earnestness, and resulted in a majority of twenty-one to eighteen votes in favour of the repeal of the law, but as a clear majority of two-thirds was necessary to its legal abrogation, the matter was allowed to drop. As there is no more deadly passion in the human heart than that which springs from slighted love, it might not be difficult for cunning politicians to work upon the discontent wrought by 'wounded loyalty and ill-requited allegiance,' and carry over the great zeal and energy of the Orange party into a project of complete separation from England. But we cannot bring ourselves to believe in the permanence of an alliance between Orangemen and Nationalists, if indeed we can believe in such an alliance at all, for the development of the ultimate policy of both parties must eventually drive them back upon their old historic positions.

The idea of a home-government to deal with purely local interests seems at first sight seductively simple and natural, as tending to secure greater effectiveness to local reforms, and to lighten the pressure of Imperial legislation. But the promoters of the new agitation must not shut their eyes to the fact that there are serious difficulties in the way. The federal plan of Mr. Butt does not allow the home-parliament to meddle with Imperial questions at all: 'it will leave to the Imperial Parliament all its present control over everything that affected the Imperial Crown—its dominions, its colonies, and its dependencies; over the foreign relations of the Empire, and all questions of peace and war.' The home-parliament will have control 'over our railways, our post-office, our public works, courts of justice, corporations, systems of education, manufactures, and commerce.' Now, the first difficulty here will be to settle exactly what questions are local and what are Imperial, for the number of what are called Irish questions which do not involve, or may not be made to touch, Imperial interest, is exceedingly small; and there is nothing to prevent a new agitation arising in the home-parliament, seconded by a powerful agitation out of doors, to shift particular questions from time to time from the Imperial to the local side. That is the inherent difficulty and weakness of all Confederations; and certainly the tendency of modern politics in America, in Germany, and in Switzerland, is not to divide the central power, but to strengthen it by union. Is the United Kingdom to prove an exception? For even suppose that the respective limits assigned to the powers of the two Parliaments should be fixed with the utmost exactness, what security can we obtain that the Irish Parliament will always rigidly and honestly respect these limits? If it is to consist of three hundred members chosen by household suffrage, we may expect that it will be a very popular assembly, faithfully reflecting every prejudice, every passion, every delusion, and every degree of knowledge and ignorance. It has always been the tendeney of such assemblies to step beyond their appropriate and allotted province, either ignorant or regardless of the nature of their duties, or the limits of their powers. Mr. Butt says that the home-parliament will manage and control all taxation applicable to purely Irish purposes. Now suppose the British Government to declare war against America or some continental Power which the Irish had always regarded with sympathy and affection, the home-parliament would no doubt be constitutionally debarred from discussing the propriety or justice of the war, as involving purely Imperial considerations; but it could not be compelled to subscribe a farthing towards its proportion of the war expenses. Mr. Butt, in referring to the old Irish Parliament of 1782, supposes such a case; for he says, 'The only control, if it can be called control, which Ireland could exercise, would have been by refusing to contribute any share of the expenses of the armaments of the war—armaments that might be, that most probably would be, necessary for her own defence against the foe.' And, again, he remarks, 'They had established nearly in its most

perfect form their right to control the appropriation of the Irish supplies, and they had extorted from the Crown the admission that in time of peace a standing army could not be legally maintained in Ireland.' It is true that Mr. Butt recommends that the power of voting the armaments and raising the necessary supplies should rest with the Imperial Parliament for the sake of greater unity and effect. But how long would an Irish Parliament, in the habit of managing its own taxation and discussing its own affairs, allow its millions to be expended in the prosecution of a war in which its sympathies were all on the side of England's enemies? And if, in the case supposed, there should be a refusal to grant supplies, would not the discussion of such a question range over the whole length and breadth of Imperial policy? Now does Mr. Butt imagine that England would run the frightful risk of divided counsels, transferring to a popular assembly in Ireland the power, or at least the opportunity, of controlling the sinews of war, at a crisis demanding the greatest unity of purpose? We all remember how the theory of Ireland's legislative independence was likely to have produced the greatest inconvenience in the reign of George III., when, during the period of his illness, different views were taken by the two legislatures on the question of the Regency; and this alarming incident led the more powerful nation to save itself by the Union from the recurrence of an embarrassment that went to the root of the monarchical principle. If that peril arose from the action of a Parliament exclusively Protestant, how much more difficult it would be for her Majesty's Ministers to maintain the integrity and unity of the Empire with a parliament sitting in College Green largely impregnated with ultramontane or republican ideas? England and Ireland could have no common foreign policy; for that of the Irish, judging by past experience, would be ultramontane and reactionary, and that of England favourable to liberty all over the world. The British Government must always take care that the principles which are to guide its policy should be so thoroughly decided that its influence should not be impaired by weakness or vacillation. Difficulties would also arise on the question of tariffs. Notwithstanding the assurance of home-government orators, we cannot believe that this will be conceded as a purely Imperial question, with which the home-parliament must not meddle. For Mr. John Martin, M. P. for Meath, who has spoken more than once on the platform of the Association, deliberately said—'There may be also some meaner bigots, those of the free-trade religion, who fear that independent Ireland might be tempted to sin against their divinity by creating and establishing native industry in the same way in which that has always been done by every independent nation.' * Another orator of the Association has pointed clearly in the same direction. What security can we have that a home-government in the hands of federalists and repealers would not immediately inaugurate an agitation for the establishment of differential duties, and the restoration of the protectionist system? We could hardly expect so much good sense or good feeling in such an assembly as would prevent such suicidal hostility. Looking at the question, then, in a popular way, we cannot see that the plan of Mr. Butt would do anything but create a federation as discordant as that which paralyses the strength of Austria, and give to the British Empire a miserable legacy of weakness and disorder.

But a mere federal union would never satisfy Ireland. It would only be a step to repeal of the Union, and then another step would bring about a complete separation. For we are to remember that the advocates of home-government represent a coalition of parties—federalists like Mr. Butt, repealers who would retain the old dynastic link, and republicans who would only take repeal as an instalment of their ultimate demands; not to speak of the various Tory or Liberal elements of the Association. Can we suppose for a moment that the Union would not in course of time receive many a shock from the discussions of such a body? that a powerful agitation out of doors would not spring up with the old cry of O'Connell—'Ireland must be a nation again, and not a province'? and that separation of interest would not speedily lead to a separation of connexion to the manifest and permanent injury of both countries? England could never allow such a separation, for she sought the Union in the case of Ireland, as well as Scotland, as a great political necessity and a great political simplification, and either federalism or repeal would only multiply her vulnerable points, and lead to a dispersion of force. It is possible to conceive that, through foreign intervention, Ireland might succeed in wresting her independence. But in that case the two countries would be a standing menace to each other, their interests and policy coming into constant collision. The Irish taxpayer would be crushed by the effort to maintain an independent army and navy. The continental alliances

* Letters on the Irish National Question. By John Martin, p. 15.

of Ireland would probably embroil her with England; while her domestic dissensions, which the want of skill in the new rulers, as well as the state of her finances, would aggravate into universal disorder, would be used by England, acting in unison with a British party in Ulster, to crush Irish independence.

But to look more carefully into this home-government proposal, we ought to consider the various elements of opinion at work in Irish society, with the view of discovering whether independent legislation would, under existing circumstances, be beneficial to the country itself, conducive to its harmony and prosperity, and prove likely to restore a kindlier relationship between England and Ireland. We must, therefore, try to ascertain not only what kind of representatives the Irish masses would send to the home-parliament, but also the character and tendency of the instruction these masses are now daily receiving from various quarters to fit them for the responsible task of selecting wise and patriotic representatives.

The two strongest powers in the country—at least, in their influence over the masses—are Nationalism and Ultramontanism. It has been sometimes taken for granted, on a superficial view of Irish politics, that these two powers are naturally and necessarily opposed to each other, and that outside the circle of Ultramontanism and dashing against it with all the power of speedy overthrow, is Nationalism with its daring theories, driving the masses onward to revolution. This is an entire mistake. On the Continent we may find them in deadly opposition; but even there, as Dr. Manning has remarked, revolution and religion mutually borrow from each other, the one contributing breadth, the other intensity of action. The remark may be applied with even more justice to the complications of Irish Catholic opinion. We know, on the one hand, that a clergy dependent in any measure on the masses for support can never for any length of time be indifferent to popular feeling, or free from popular prejudice. Though the Irish priesthood may have been perfectly sincere in condemning Fenianism, they were known by the people to sympathise with many of the ulterior ends that Fenianism had in view, while the very discontent to which the bishops themselves gave voice in their pastorals had a tendency to keep alive in the peasantry the feelings on which the Fenians or Nationalists relied for support. We have at this moment before us the pastoral letter of Dr. Nullty, the Roman Catholic Bishop of Meath, to the clergy and laity of his diocese, of which '*a considerable portion*' (these are the bishop's own words) '*is devoted to a defence of the Ribbonmen of former times from the obloquy and infamy with which*,' in his lordship's opinion, '*it* (sic) *has been branded.*' The Bishop, it is true, condemns the modern practice of Ribbonism with great apparent severity; but he does not scruple to justify the origin of these murderous combinations, and he denounces the means employed 'by a weak and pusillanimous Executive' for the prevention, detection, and punishment of crime with the same vehemence of language which he applies to crime itself. Such pastorals partake of the incendiary character of the nationalist press, and are certainly not calculated to allay the evils they profess to deplore.

It is also a significant fact that in 1868 a manifesto was issued by a body of Roman Catholic priests, with the Dean of Limerick at their head, in which they declared that 'the only means of tranquillising Ireland was by the restoration of her nationality;' and Father Lavelle said in February last, on the platform of the Home-government Association, that 'nine-tenths of the clergy on the other side of the Shannon were as warm on the side of home-government, as any man in that room, and that there were temporary reasons why they should not declare themselves; but before six months were elapsed, the west of Ireland would speak with a voice of thunder.' It would be wrong, on the other hand, to suppose that the masses of the Irish people are not earnest Catholics, remarkably submissive to clerical direction or dictation. They are no hungry democratic reformers like the Socialists of France or Germany, revelling in crude ideas of government, cherishing a wild and fanatical faith in human perfectibility, and expecting to hang the last king with the entrails of the last priest. There is no fight in Ireland between the sons of crusaders and the sons of Voltaire; for the Irish are perfectly obedient to their clergy, though they do occasionally resent their intrusion in politics. Nationalism and Ultramontanism are not mutually destructive powers, but are actually engaged at this moment, with certain well-understood reservations, in influencing to a powerful degree their mutual interests, and, for the present, their common cause. The election of two Protestants like Martin and Mitchell Henry for Meath and Galway, two Roman Catholic constituencies, reveals an antagonism; for both these representatives will be prepared to serve the interests of the Ultramontane party in Parliament.*

* The Rev. Thaddeus O'Malley, in a speech

The question then arises—What would be the probable constitution of an Irish Parliament elected by Ultramontanes and Nationalists? It is perfectly certain that it would reflect almost exclusively the opinions of these two parties, who would thus have the destinies of the country completely in their hands. We sympathise with a 'Protestant Celt' when he 'desires to see something of a vigorous, healthy, united lay public opinion kindled in Ireland;' but where are there the slightest indications of an independent lay opinion? Where is there even the nucleus at present of a middle party, to act with mediating force in Irish politics? Where are the men of moderate views who will have power to impose terms upon extreme sides? Where is the calm tribunal of public opinion that will allow moderate men to get even a hearing in Ireland? There can be no satisfactory answer to these questions. In our opinion, the middle-class Catholic party of moderate views, to whom we should look for help in this emergency, are less worthy of respect than almost any political sect in these countries; for, though in private they profess to be as liberal and tolerant of others as they are appreciative of the truly just and catholic policy pursued towards them by England, and condemn the exclusive and irrational policy of their clergy in matters political, they have never yet had the courage to venture upon public remonstrance or opposition. One of their number, a lawyer of liberal views, has attempted to vindicate or excuse this purely passive attitude, by saying that the Catholic gentry and the moneyed classes are a mere handful compared with the priest-led masses; that they would be powerless in any Catholic movement opposed to the priests; that if they want seats in Parliament they must obtain them by the licence of the bishops; and that so small a class cannot produce within its own limits anything like the requisite amount of thinking power or acquire the learning necessary for such a conflict. But why should they not *try* to extricate themselves and their country out of such a humiliating position? This liberal writer is apparently conscious of the essential unworthiness of their position, for he says: 'If they could all be inspired with sufficient enthusiasm to make a stand shoulder to shoulder, they could do great service to religion and their country.' The laity, then, are evidently no check upon Ultramontane aspirations, and we may be pardoned for believing that a thoroughly Ultramontane Ireland might become as troublesome to England as a thoroughly Fenian Ireland.

And here we would interpose an observation mainly, but not exclusively, applicable to Ireland. A Bill for the introduction of Vote by Ballot has been brought into Parliament by a very able member of the present Government. Have the authors and supporters of that Bill—have English members generally — considered the question, how will Vote by Ballot work in Ireland? We will endeavour to tell them. The two chief governing powers of Ireland are the Secret Societies and the Confessional. Those are the seats of nationalist and ultramontane power. These occult forces, freed from the control of law and of public opinion, place the mind and soul of the voter at the command of his spiritual or political master. Secret voting is precisely the device required to give unlimited and unopposed scope and influence to these forces. It will leave the ascendency of the Ribbon Association and the Priest unimpaired; nay, it will throw over it a friendly and impenetrable veil, and there is this peculiarity about this species of influence, that the man who is enthralled by it does not desire to cast it off; he is not only a slave, but a voluntary slave, to what he regards as an awful and irresistible power. With the assistance of the Ballot we have not the slightest doubt that the influence of these powers—both fiercely hostile to England—will be absolutely paramount in nine-tenths of the elections of Ireland. Independence of election is no part of the character of the Irish peasantry. If they cease to follow their landlord, they will follow their head-conspirator or their priest. The result will be that about ninety Irish members will probably be sent by Secret Voting to the House of Commons, differing materially from the great majority of those gentlemen who have heretofore represented Ireland, differing still more from the opinions of their British colleagues; and as these members will be able, if they hold together, to exercise a decisive control over every important party vote, the time may possibly come when regret will be felt even on this side of the water, that the severance of the two representative bodies is so extremely difficult and perilous.

We are already in a position to understand not only the probable constitution of the Parliament which is to legislate in purely

upon the effect of their election on the prospects of an education measure, such as the Ultramontane clergy demand, says:—'Will not John Martin give as safe a vote for a good Irish education measure as Mr. Plunket? Mitchell Henry, a safe and much safer vote than the Viscount Burke?' (Freeman's Journal, March 2, 1871.)

Irish affairs, but also the probable course that home-statesmanship would take on a number of highly important questions. It is to be presumed, for example, that no attempt would be made to re-establish or re-endow any one or all of the existing Churches of Ireland. Religious equality is the great principle which the Imperial Legislature has just established in the settlement of the ecclesiastical difficulties of the country. We destroy the privileges of the minority, but without any design of handing them over to the majority; and those who were the foremost allies of the Roman Catholics in obtaining religious equality will be the very first to oppose any attempt to establish a Roman Catholic ascendency. Now Mr. Butt has evidently some suspicion that there might be an attempt made to re-endow religion in Ireland, for he throws out the suggestion that 'few persons would object to a provision that no Act of Parliament affecting any question of a religious establishment should be passed except with the sanction of the Imperial Parliament.' We confess, however, to a grave apprehension that one of the very first measures that would be introduced would be one of concurrent endowment in another form. For Mr. Butt expressly includes 'systems of education' among the local as distinguished from the Imperial interests, and therefore committed to the guidance of the home-parliament. Can we not readily understand how quickly and effectively the Catholic University would be chartered and endowed, and the denominational system established in the primary and intermediate schools of the country by the overwhelming Catholic vote? The State has hitherto acted on the principle of limiting its support to an education in which all can share; but since the disendowment of religion has been effected, it is felt that there is no difference of principle between supporting a clergy and supporting a schoolmaster to teach religion. It would be a false and insidious policy to allow a return to religious endowment, under the form of a denominational system of education. Under a home-parliament, we should witness, though on a far wider scale, a repetition of the scandalous appropriation of public monies which the Irish Catholic vote in New York has secured year by year for a host of schools, orphanages, and charities of various kinds in the hands of the Roman Catholic clergy.* 'Putnam's Magazine,' of New York, in a recent article with the curious title, 'Our American Established Church,' says: 'In no European country, we say it with some confidence, has the clergy of a Catholic Establishment its hands more nearly closed upon the whole system of public education than here in New York;' and another journal states that, during the year 1866, the Legislature of New York State appropriated 50,800 dollars for churches, schools, asylums, and hospitals; and of this sum 45,674 dollars were received by Roman Catholics; and, in addition, made a special donation of 78,500 dollars in 1866, and 80,005 dollars in 1867, to the Society for the Protection of Destitute Roman Catholic Orphan Children. In the city of New York, the Common Council about the same time appropriated 97,522 dollars to sectarian purposes, and all, with the exception of 5,522 dollars, for the benefit of Roman Catholics. The whole matter is easily explained: the politicians flatter the Catholics for their votes, and the clergy behind the scenes know how to hold the balance of power in a democracy. Now we ask the Tory Protestants of the Home-Government Association, What is there to prevent—not an endowment of churches, though even that might be dexterously managed in some disguised form, but—the endowment of a host of orphanages and charities, including monastic and conventual establishments for the education of the young? They might live to see the day when the curses of heaven and earth might be vowed against the policy which asserts the ascendency of the State—indeed of the lay element—above the clerical in all matters of national interest. And what influence could they expect to exercise in an Assembly of Ultramontanes and Nationalists? They would soon be made to learn that to govern Ireland according to Irish ideas is to follow the ideas of the mere Celtic and Catholic majority, and that Ultramontanism would become the dominant spirit of the whole country. The success of their scheme would only lead to their own political destruction, and might eventually bring on an internecine struggle which, in some great ecclesiastical crisis, might revive the horrors of civil war.

But another question of some consequence

* We find undoubted evidence of a disposition to restore taxation for Irish ecclesiastical purposes in a Bill introduced into the Imperial Parliament during the present session by Mr. M'Mahon, M.P. for New Ross, who is anxious to facilitate local legislation affecting Irish interests so as to abridge the labour and expense of Imperial legislation. The enumeration of the various classes of works comprehended within the range of his Bill positively contains one for 'church or chapel building, enlarging, repairing, or maintaining.' The title of the Bill is 'Local Legislation (Ireland).'

is, How far a home-government would secure more kindly relations between England and Ireland? It is affirmed with confidence by Mr. Butt that the restoration of Irish nationality would not only pacify the country, but make Ireland a tower of strength to England. This would certainly be a very desirable result; but it must, after all, greatly depend upon the disposition of the parliamentary representatives, of the masses who elect them, and of the press which instructs the masses. It has always been our belief that the studious misrepresentation of English politics, English Society, and English character by the Irish press is the chief obstacle to the complete political fusion of the two peoples; and we have no language to express our contempt and abhorrence of a patriotism which aims at keeping Ireland irreconcilable that she may be a perpetual thorn in the side of England. Certainly, if the relation between the two countries is to be changed for the better, there is greater need that mutual esteem and community of sentiment should be cultivated on both sides. But what security can Mr. Butt give us that the national press will change its instincts and habits, on the day that England consents to establish a federation? Some of its writers may be sincere, and are to be pitied for their ignorance and despised for their violence; but others, we fear, drive a vile trade in sedition, and seek a sordid gain in exciting the worst passions of human nature. Despicable as they mostly are in a literary point of view, they are still more so on moral grounds. There was never anything grosser than the fabrication of French victories all through the late war, yet, strange to say, though neither date nor authority was assigned for most of them, they imposed upon the ignorant masses throughout Ireland and were devoured with unfailing voracity. Imagine the capacity of a people for self-government who receive all their instruction from such journals. The Irish, in fact, are mere children in political affairs; and their literary guides never allow them to hear the words of political truth and soberness. We cannot believe that any English concessions whatever, if we may judge by their comments on the amnesty to the Fenian prisoners, can ever conciliate the good-will of these national newspapers; for they are written as well as read on the assumption that the English Government is tyrannical as well as anti-national, and to allow that any act of England challenged the gratitude of Ireland would convict themselves of injustice and undermine their trade. If a home-parliament were conceded to-morrow, there would be an immediate agitation set on foot by these wretched prints for complete independence, with visions of land-confiscation, pillage, and revenge, held out to the ignorant expectations of an impulsive peasantry. On the whole, then, when we think of the malignant distrust of England which is kept alive by this press, the calumnies that are spread, and the hopes that are raised without the slightest prospect of their realization, we are thoroughly convinced that Ireland would not be more tranquil under a home-parliament, or exhibit a more pacific or friendly disposition to England.

We are sorry to say, however, that it is not the national journals alone which foster the delusions and passions of an excitable people. If any one will take the trouble to read the evidence of Father Grace, of the order of Christian Brothers, before the late Royal Commission on Primary Education in Ireland,* he will understand something of the process by which some 23,000 Irish boys while at school are prepared for understanding and appreciating the lively invectives of the national press. Master Brooke, of the Irish Court of Chancery, one of the Royal Commissioners, pointed the reverend Father's attention to the Fourth Book of Reading used in the schools of the Brotherhood, which contained no less than twenty-three passages describing the cruelty, the tyranny, and the oppression of England, as well as the sufferings and wrongs of Ireland, India, and North America under English rule. One of these passages, in alluding to the extinction of the old Irish Parliament by the Union, said, 'its history showed that its existence was essential to the greatness, the dignity, the prosperity, and the happiness of Ireland.' Master Brooke asked whether it was the custom of the Christian Brothers to make any comments upon such passages by way of softening them down; but Father Grace merely answered, 'I only regret we haven't it' (the Irish Parliament); and being further pressed, he remarked: 'That is the general opinion; and it would be difficult to convince the great majority of the Irish people to the contrary.' No wonder Master Brooke exclaimed on the spot, that 'the books of the Christian Brothers were the most direct training for Fenianism that he could possibly imagine!' Dr. Keane, Bishop of Cloyne, promised that if the Christian Brothers' school were made denominational and taken under the National Board, the bishops would take care to correct anything objectionable in the books; whereupon Master Brooke very pertinently replied:

* Royal Commission of Inquiry into Primary Education (Ireland), vol. iii. pp. 376–378.

'But the Bishops have full authority at this moment over the Christian Brothers, and yet nothing has been done in the way of correction.'* Now when we consider that all these school-books, as anti-English in their poetry as in their prose, have received episcopal sanction, as Father Grace himself admitted, we cannot acquit the highest authorities of the Roman Catholic Church in Ireland of a grave offence in instilling into the youthful mind an education which is calculated to develope only the bad passions and nurture hatreds of very difficult eradication.

We do not believe, however, apart from all these considerations, that Ireland possesses the elements for building up an independent national life; for she has no historical basis of the least solidity, no definite public opinion such as supplies a check and guard to other communities, and none of the tolerance or habits essential to self-government. We believe that her true interest lies in the maintenance of the Union. That great measure gave her Parliamentary Reform, Catholic Emancipation, a great system of education, a reform of the corporations, a Poor-law system, perfect freedom of trade with Great Britain, a reform of the land system, complete religious equality, together with the full benefit of wise and equal laws, and the fullest access on the part of her children to every place of honour, usefulness, and power in the gift of the Sovereign. Irishmen seem sometimes to forget what a large place they have hitherto filled in the public service of England, both at home and abroad. When we see Irish judges, Irish bishops, and Irish statesmen amongst us, and the whole Civil Service of the Crown open to Irish competition; while our large towns have thousands upon thousands of an Irish population, uniting their own industry to British capital and organisation, we may well ask, what would become of Ireland if all her sons were compelled to seek their fortune at home, and were to forfeit their rights of citizenship throughout the other parts of the Empire.

The Federalists have many complaints to make against the Union. They complain of the tardiness of Imperial legislation; but they forget that one chief cause of the long delay in the redress of grievances was the fact that the Irish members themselves were never agreed upon the fundamental principles of any single measure, the Tories of the north and the Liberals of the south being in constant conflict upon every question of home policy. But whatever may have been the tardiness of past legislation, the complaint is now perfectly irrelevant, for the march of reforms within the last three years has become rapid and effective beyond all calculation or precedent.

It has been strongly urged that nothing but a home-parliament can restore the manufactures which the Union destroyed, and that the over-taxed condition of the country is such that it needs all the fostering care of a local Legislature to restore it to its proper strength and vitality. It would be hard to prove 'that the Union had destroyed native industry,' when we know that the flourishing manufactures of Ulster have only grown up since the Union. The revival of the linen trade dates, in fact, from the period—1830—when that system of bounties and protective duties which some Irish patriots seem anxious to restore was abolished by the Legislature. Particular trades have, indeed, died out in other parts of Ireland, but they owe their extinction to the insane and suicidal leagues and strikes of the workmen, and it is exceedingly doubtful whether, if the Union were repealed to-morrow, and a code of protective duties enacted for the revival of local manufactures, every farthing of the burden thus levied would not be exacted by the combinations of the workmen. But the present condition of Irish manufactures has been totally misrepresented. It is gratifying to find that the total number of flax-spinning and weaving factories in Ireland was 143 last year against 100 in 1862; that the cotton trade had 9 factories in operation in 1862, and 13 in 1868, and that the woollen trade had made satisfactory progress is proved by the fact that it employed 10,555 hands in 1868 against 1,037 in 1862. If England has 5,698 factories of all kinds, and Scotland 507, Ireland, which cannot boast of their stores of coal and iron, can count her 198 factories, though six years ago she had only 158.* Within the last two years, two of the largest ocean steamers in the world have been built at Belfast. There is no way in which a home-parliament can restore manufactures but by a system of protection, which the Imperial Legislature will be slow to allow. A return to tariffs would injure Ireland more than England, if free-trade principles be sound; but there are many short-sighted economists there, like the person of whom Dean Swift tells us, who said that Ireland would never be happy till a law were passed for burning everything that came from England but its people and its coals.

It is further alleged that the over-taxed

* Royal Commission, &c., pp. 679, 15621.

* Ireland, Industrial, Political, and Social. By John Nicholas Murphy. London, 1870.

condition of Ireland can only be grappled with by a home-Legislature. We cannot afford to enter into this large question, which was specially examined by a Select Committee of the House of Commons in 1865. It was admitted by the Committee that Ireland's proportionate contribution to the Imperial expenditure as fixed by the Treaty of Union was higher than her resources justified; but then Ireland had never in any single year contributed according to that proportion. Irish patriots ought to ponder these words:—'It has not been shown your committee that there is any tax now in operation in Ireland which materially interferes with the development of her industry, unless it be the excise duty on spirits.' But the assertion has been boldly made: 'At present England takes all and gives nothing.' So far from this being the case, as Dr. Hancock* shows, the expenditure fairly chargeable to Ireland in 1861 was greater than the contribution of Ireland to the expenses of the empire by 1,002,938*l.*, according to one calculation, and 691,355*l.* by another. There has been some change since that period in the proportions of revenue and expenditure, less favourable to Ireland; but do Irish patriots ever think of comparing the revenue and expenditure of Scotland and Ireland respectively? The facts are very striking. According to a return of the House of Commons made in 1868, on the motion of Mr. M'Laren, M.P. for Edinburgh, the revenue of Scotland in 1867 was 8,289,242*l.*, and of Ireland, 6,317,121*l.*; while the amount received from Government during the same year by Ireland for local purposes was 2,230,592*l.*, and that received by Scotland was only 552,808*l.*! There has been much complaint concerning the recent increase in Irish taxation. The income-tax was extended to Ireland in 1853; but Mr. Gladstone at that period remitted four millions sterling of Consolidated Annuities. Besides, the sum raised by this tax, 733,484*l.* in 1861, 356,431*l.* in 1867, levied on the wealthier classes of the community, is a mere trifle compared with the indirect taxation of the same year, 6,108,606*l.*, which is levied on all classes, and, on the other hand, the Irish pay no assessed taxes.

In drawing these observations to a close, we have only to express the belief that the long delay of the Union was the chief grievance of Ireland. Her case, indeed, closely resembled that of Scotland. Provincial government had degraded that country, for even the union of the two crowns, with still distinct governments, did not protect the Northern kingdom from misgovernment and oppression. The real union came at length in 1707 and emancipated us. Scotland at that time differed from England by a thousand years of tradition, laws, and institutions; there could hardly be two types of national character, intellectually and morally, more unlike than those of the Englishman and the Scotchman of the seventeenth century; and the smaller country might well have hesitated to accept a union which was likely to rob it of a glorious independence, and turn it into a mere English province. This was the feeling of Scotland at the time. Lord Belhaven and the patriotic party denounced the union as fratricide in much the same terms as Curran and Grattan condemned the Irish Union. The similarity extends even further; for Scotland, like Ireland, consisted then of two great divisions, inhabited by two different races, the Lowlanders and the Highlanders, who had but little sympathy with each other. Yet when the Union incorporated two countries that nature had joined together, the flood of improvement that followed swept away the old barriers, and the two races became one homogeneous community. If the Irish complain that their Union was carried by bribery against the sentiments of the nation, we in Scotland had a similar complaint, for a sum of twenty thousand pounds, which passed at the time in an unaccountable manner from England north of Tweed, was believed to have carried the Union. If Ireland has had her rebellions, Scotland had two of them shortly after the Union; and if Ireland has had her agitations for repeal, it is well known, that when Scotland found herself treated after the Union like a conquered country, and English principles were applied to Scotish society with an unbending rigidity, a Bill was actually introduced into the Imperial Parliament to sever the connexion, which was only lost by three votes and three proxies. We all know now the happy effects of this measure: increased order, increased liberty, increased civilisation, the growth of agriculture, the rapid rise of Scotch commerce and manufactures, and the progress of the towns in wealth and comfort at a rate beyond all precedent. If the Union with Ireland had taken place after the battle of the Boyne instead of a century later, she would now have had a calmer and happier history; local oppressions and national animosities would have been merely historical; for through her contact with the freer institutions

* Those who desire to understand the whole question of taxation as between the two countries should read Dr. W. Neilson Hancock's 'Report of the State of Public Accounts between Great Britain and Ireland.' Dublin, 1864.

and larger society of England, she would have become as tenacious of civil rule and liberty as the country with which her fortunes were henceforth to be inseparably linked.

We submit, then, that it would be a clear surrender of empire and duty on our part to dissolve the existing Union. We are prepared to do the completest justice to Ireland, not merely because it is our clear policy to thin the ranks of our adversaries by removing all justifiable causes of misunderstanding, but because we are bound honestly and sincerely to help her to receive the full benefits of the Union. We see no objection to give her even a royal residence, if she desires it, though it is absurd for Mr. Trench to imagine that this would be any panacea for Irish ills: perhaps it might have a slight restorative effect, as combining an appeal to the imaginative disposition of the nation with a concession of certain obvious commercial interests. But after we have done what is wise and right, we can on no account swerve from our course in the hope of purchasing loyalty by folly or wrong; for though adherence to duty may bring us neither gratitude nor reward, we are certain that the desertion of it will never fail, at least in public affairs, to bring its own punishment in the end. Beyond all question, the time is fully come for crushing Irish lawlessness of every description. No Government worthy of the name can any longer tolerate the scandal of agrarian murders. The Assassins of Persia, the Thugs of India, and the brigands of Southern Italy have been suppressed without mercy; and no pedantic veneration for forms ought for a moment to stand in the way of all necessary measures being taken for the extinction of Ribbonism. But we are not for fighting the authors of these crimes with any weapons but those of reason, unless they bring themselves under the arm of the law by some overt act of outrage, or set the example of some still more daring hostility. We hope, however, the revolution has spent itself in Ireland. The principal revolutionary influence we have now to encounter is unscrupulous misrepresentation. But facts are working for us, and must continue to work. Statistics show that the country is improving, and needs nothing but time, repose, and steadiness to regain her tone and strength. We cannot despair of a people whose bank savings have increased by a steady progression from sixteen millions sterling in 1864 to twenty-three millions in 1869, and this with diminished numbers. Let Irishmen give up their dreams. They can never be realized. There have been times when the feeblest faction could rise into a dangerous importance, and the wildest project acquire a formidable chance of temporary triumph: but these times are not likely soon to return. Why should Ireland not remember the famous query of her own Berkeley: 'Is it not the true interest of both nations to become one people? And are either sufficiently aware of this?' What is there in an incorporate union to prevent each of the three nations forming the United Kingdom from following out its own inherent tendencies, and developing its own special powers? The feelings of race may still exist, but the three nations must know that they are complementary to each other, and designed to work together as a great organic whole. Can the Irish people, after all, do better than cast in their lot and work out their destiny in a cordial partnership with their fellow-subjects. Of this at least we are sure, that although the dissolution of the Union might be inconvenient and even dangerous to Great Britain, it would be incalculably more disastrous and destructive to Ireland herself and to the Irish people.

ART. IX.—*Ancient Classics for English Readers. Horace.* By THEODORE MARTIN. Edinburgh and London: 1870.

AT a time when it is debated with some reason and a little zeal, whether it might not be well to discard from our schools and universities the study of Greek and Latin, and to supply the place they have so long occupied by modern languages, the success of 'Ancient Classics for English Readers,' is among the curiosities, if not the inconsistencies of the day. That success is doubtless in the first instance due to the signal ability with which the series is, and promises to be, conducted. Yet its merits alone will not quite account for the welcome it has received. Readers of the original authors, so agreeably treated of in these little volumes, unless they are engaged in tuition or contending for school prizes and college-fellowships, are becoming every year fewer in number, and are often regarded by a busy world as the fossils of a period in literature that has passed away. 'Why,' it is asked, by many anxious parents and guardians, as well as by some who have won their spurs as classical scholars, do we, in Milton's words, 'spend seven or eight years in scraping together so much miserable Latin and Greek?' Is not Porson reported to have said that if he 'had a son, he would have him taught to read Racine and not Euri-

pides'? It is indeed no new cry that is now raised by educational reformers. There was, indeed, very lately reason for thinking that 'such as' Ausonius 'is will Virgil be;' that Livy and Tacitus will soon repose on the shelf with 'Baker's Chronicle;' and Horace's Satires slumber beside those of Hall, Marston, and Donne. It seems, however, as if the Iö Pæan of disendowment has been sounded prematurely; and that it is even now possible to revive an interest in the prince of epic poets, in the father of history, in the second father of the Athenian stage, in the Mantuan bard, in the note-book of Rome's greatest soldier, and in the works of a poet who for centuries has been the favourite of philosophers and men of the world, no less than of scholars.

To say the truth, in spite of this pretended indifference of the age to classical studies, and these attempts to set them aside for more practical subjects of instruction, we question whether English scholarship has in any former age been more active, more intelligent, or more complete. Not a few of the greatest and best literary works of our time have been based on the study of antiquity. Grote, Thirlwall, Lewis, and Merivale have reconstructed Greek and Roman history on broad and solid foundations. The last contribution to our libraries is Professor Jowett's long expected and highly valued translation of Plato. Innumerable translations of Homer and the Latin poets issue in rapid succession from the press; and even the more artificial process of transfusing our own poets into Greek and Latin is carried on with unceasing interest. In ancient topography we can boast of such works as Mr. Burns' 'Rome and its Campagna,' which is a mine of careful reading and observation, as learned as Bunsen and as graphic as Ampère. And the most original and profound of the Latin poets has at last found a worthy editor in Mr. Munro. The consequence of the direction, which has been given of late years to classical studies, is that we take a broader view of the *life* of antiquity. Men care less for the grammatical forms of classical literature, but infinitely more for the opinions, the tastes, the manners of those races of men, who are at once so remote from our age and so near to our nature. The pedantry of classical learning is gone out of fashion; but that which makes classical literature imperishable—its truth, its reality, its perfection of form—has retained all its power, and, we think, increased it.

The publication of these little volumes is a proof of it. They are designed to bring some knowledge of the ancient classics within reach of those who do not even know the ancient languages; and the first step towards this object, is to represent the ancients, not as figments of bronze or marble, but as men and women like ourselves, surrounded by the bustle of life, and animated by identically the same tastes and passions. The real value of the classics is that they form an essential part of the general culture of mankind. We can no more afford to lose their immense contributions to the literary traditions of society than we could afford to lose Shakespeare; and book for book, Horace is as much one of our nearest friends and associates as Lafontaine or Molière.

To Mr. Theodore Martin the volume devoted to Horace in this collection was assigned by an almost prescriptive right. No one, either now or formerly, whether as commentator or translator, has entered more thoroughly than he does into the sense, the spirit, the humour, and the character of the Augustan poet. No one by his felicitous command of English measures was more competent than he is to represent the various and often complicated metres of Horace. In other fields than in those of Latin poetry he has shown his gifts as an interpreter. His versions of some of Dante's and Goëthe's works are as serviceable and pleasant to the reader as his translation of Catullus published a few years ago. And now, as the biographer of one whom Byron mourned that he could not read with pleasure, because of the 'drilled dull lessons' of his own school days, Mr. Martin brings home to us in a narrative at once learned, lively, and graceful, the character of the poet and his times; shows how he became 'ex humili potens,' how the freedman's son was content in either fortune, long before Petrarca had preached the duty of being so; how he grew into favour, honourably and honestly, with the great; how he accepted gifts from Cæsar's prime minister, and declined promotion offered by Cæsar himself; how he chastised the foibles and encouraged the virtues of his contemporaries, added to, or rather created for, Rome a new branch of literature, practised as well as preached moderation to an age given over to excess, and was a fellow-worker with Virgil in recommending to his countrymen the hardy qualities and simple pleasures of their Latin and Sabine forefathers.

A great magician of uncertain date—we are not sure he was not a father of the Church, who may have been no conjuror—was compelled, in order to keep a devil out of mischief, to set him to work upon some arduous, and, if it might be so, endless task. So he commanded him to make ropes from sea-sand. Doubtless this was a difficult thing to do; and yet, perhaps, not much more so

than it it is to abridge Mr. Martin's account of Horace, his contemporaries and his works, without injuring it. Every page is so germane to the matter that we perpetually pause to consider whether to take one and leave another with least damage to the whole. We find no crevices in his mail; he never falls short of or goes beyond his subject; we wish after closing his book to be able to read it again for the first time; it is suited to every occasion; a pleasant travelling companion; welcome in the library where Horace himself may be consulted; welcome also in the intervals of business, or when leisure is abundant. Since it is possible, however, that this Journal may come into the hands of readers not yet acquainted with the 'Ancient Classics for English Readers,' we will take the part of gentleman-usher, and introduce them, as best we can, to this number of the series. There are, indeed, no omissions to supply; but as some questions connected with Horace were either not consistent with the plan, or not compatible with the space allowed to the author, it may be possible to add, without presuming too much, a few illustrations of the subject, though 'the words of Mercury be harsh' among 'the songs of Apollo.'

Of Horace we really know more than we do of Shakespeare. We cannot, indeed, enter the house in which he was born, the school-room in which a 'plagosus Orbilius' gave him such lessons in the accidence as scandalised Mrs. Quickly, or the church wherein he is buried. Neither can we walk into his garden, or conjecture where his bowling-green was, or where the 'pleached alley' and the, in those days indispensable, summer-house. Of Horace there is no portrait by a Martin Droeshout, nor bust taken from his living or dead face. We may guess from his writings at his 'wit-combats' with Virgil and Varius, but there was no Thomas Fuller to put them on record. Yet, thanks to what he has told, hinted, or insinuated of himself, in satire, ode, epode, and epistle, he is to us, at a distance of nearly nineteen centuries, as palpable to sight as Shakespeare at an interval of three. Horace, it is almost a truism to write, at least for anyone acquainted with his works, is his own biographer.

Nor is he merely the chronicler of himself, he is also indirectly that of his times as well. We doubt, had the last decade of Livy been preserved, whether it would have conveyed so just and lively a picture of Roman life in the eighth century of the city as that which is contained in the poems of Horace. They, in their author's lighter as well as graver moods, are stamped with the impress of the age in which they were written. Roman society, as it passed under the lyrist's or the satirist's eyes, was little if at all less disorganised by 'domestic fury and fierce civil war' than France after her revolution in the last century. The very elements of the Italian and city population had been changed. 'In Tibrim defluxit Orontes.' Sulla and the mighty Julius had each of them turned a people which had once been composed of at least Italian races into a hybrid populace—the one by inundating the peninsula and its capital with Greek and Asiatic captives in war, the other by admitting into the senate, and even to the consular chair, Spaniards and Gauls. The long reign of Augustus scarcely sufficed to reconcile such jarring elements. Neither rank nor wealth was untouched by these infusions of new, and far from always healthy, blood. The lofty had been cast down; the lowly had been lifted up. The places of the ancient nobility, Latin, Umbrian, or Sabellian, were supplied by men who may never have heard of their grandfathers, nor sometimes even that of their sires. To Lucullan or Cornelian palaces, whose owners were in exile or had been slain in war or by proscription, these doubtful sons brought the habits and manners of rude soldiers or supple slaves. They came from barracks or cabins into lordly mansions; their fish ponds were stocked with carp that Hortensius may have fed with his own hands; their woods and aviaries may have been planned by Varro or even the elder Cato; in their cellars were stowed Falernian and Cecuban wines that escaped the bands of Spartacus, or were sealed down when Caius Marius was still trailing a pike. Among such a chaos of race, station, and condition there cannot but have been much coarseness, much excess, and a good deal of eccentricity in speech, dress, and manners. To a young satirist here was abundant provision for both eye and pen. The 'broken bankrupt' turned preacher of prudence; the cumbrous and costly dinners of Nasidienus; a Menas whose white robes hid the marks of the hangman's scourge; misers who poured rancid oil on their cabbage; misers' sons who gave a handful of gold for a turbot or a peacock; slovens whose 'feet swam in capacious shoes,' and whose gown swept the pavement—and dandies, 'sweet puss gentlemen, all perfume,' were 'meat and drink' to students of life such as Horace was, even as 'to see a clown was meat and drink' to Touchstone. The sly and shrewd comments of the elder Flaccus upon the Nomentani and Pantolabi of the period cherished, if they did not actually create, the satiric genius of the younger one, and perhaps the observant pair might supply Mr. Galton with one more instance of 'hereditary genius.'

Had Donatus thought fit to write Horace's Life, as well as Virgil's, certain gaps in that of the former might not now have existed. But 'grammatico carent;' for the brief account of him appended to the Cæsars of Suetonius is merely a thing of shreds and patches. Horace is computed to have passed four years at the least in Athens. That they were not idly spent we have partly his own word and partly the evidence in his writings of careful study of Greek poetry and philosophy. But what company did he keep there? Young Marcus Cicero was at that university at the same time, since he, as well as Horace, took service under Brutus. Did he read, mark, and govern himself by his father's treatise on '*Duties*;' or was he even then addicted to wassail and revelry? We would fain know whether young Messala, and young Bibulus, who were certainly at Athens with Cicero junior, were among Horace's 'sodales.' Mr. Martin records without comment that he held a commission under Brutus, and there is no doubt of the fact, or of his being among the fugitives from Philippi, since we have the poet's own warrant for it. Considering, however, that he was then twenty-three years old at most, we incline to think with Dr. Merivale that he was little more than nominally tribune of a legion, and that some grim and grey-haired centurion was set to watch over so young a colonel. With all his abilities, Horace was scarcely a Körner to ride to battle with a lyre in one hand and a sabre in the other; nor, like another youthful soldier, had he devoted himself to mathematical and military studies at either a Greek or Roman Brienne. Next, we wish that some Donatus had told how, after he had laid down arms for ever, he contrived to live at Rome upon nothing or next to it. The Venusian farm, never worth much, was no longer his. Some booted and bearded soldier was in possession, who, if the late owner had asked him for even a corner of it, would have sworn at the short and dark-eyed suppliant, as terribly as our armies swore in Flanders, even if he did not employ a rougher mode of ejection. By and by Horace purchases a small government office—a clerkship in the treasury. Who found the money for it? His own purse, like Catullus's, was full of cobwebs. And was his salary paid regularly at a time when every sesterce was wanted by government for its vast and often mutinous army? Did his pen help him? We know that after Horace had become a fashionable poet, the brothers Sosii were *his* fathers of the Row; yet at a time when Sextus Pompeius might any day sail up the Tiber, and the intentions of Marcus Antonius were dubious, poetry can hardly have been much in request at Rome, especially if the writer of it were obscure and poor. For all this and more ignorance, on the subject of Horace, we have to thank the silence of Donatus. That painstaking commentator might indeed reply:—'Friend, you mistake the matter; the age I lived in was much too barbarous for the writings of Horace to be popular or even generally known. Virgil and Terence were quite a different matter. The one had a story to tell, and moreover was beginning to be accounted a wizard, which added greatly to his fame; and as for Terence, if laymen did not greatly care for his plays, they were always much prized by the clergy. Horace may have been all very well in polite and peaceable times; but his songs were above our comprehension, and his satires were, we thought, not half biting enough.'

Some motive besides filial piety may have led Horace to dwell emphatically upon the social *status* of his father:—

> 'Now to myself, the freedman's son, come I,
> Whom all the mob of gaping fools decry,
> Because, forsooth, I am a freedman's son.'

In the first place, the Roman poets of the pre-Augustan and Augustan eras, as well as their successors in the reigns of Nero and Domitian, were 'gentlemen born.' Calvus and Catullus came of good families. Virgil was the son of a Roman citizen of property; Tibullus, Propertius, and Ovid were all of equestrian rank. Among writers of nearly the same generation, one alone, Phædrus, was by birth a slave; but with this exception, Horace, in respect of family, stood lowest in the social scale. When accordingly he began to be known or felt as a writer of satires, the victims of his censure very probably cast in his teeth—not, we may be sure, forgetting his republican politics—his low origin. In the next place, even in Horace's youth, freedmen and their sons were not in good odour either at Rome or in Italy. They were not, indeed, as yet the full-blown upstarts that, fifty years later, misguided Claudius and encouraged the vices of Nero. Yet old men would descant on Sulla's proud and grasping freedman, Chrysogonus; middle-aged men remembered well Demetrius, outvying his emancipator Cneius Pompeius by his chariots and his horsemen, his trains of slaves and gorgeous attire. Nor were pomps and vanities the only grounds for dislike of Libertini. Slowly, yet surely, they were climbing to the height that at no very distant day would be reached by Pallas and Narcissus. Even before the Augustan period, a middle-class of citizens had nearly vanished from Rome,

and the void was being filled by these sons of nobody. The better sort of them were found useful in public or private business; the worse were not less serviceable as contrivers and purveyors of pleasures for their patrons or their dupes. 'The freedman's son' was thus exposed to a double battery of abuse. Either he was regarded as an intruder into matters too high for him, or, as the satellite of great and wealthy houses, he was ranked among the 'viscera magnarum domuum dominique futuri.' This social change would not be unmarked by the younger Flaccus; and both to shield himself from unjust obloquy and to vindicate the memory of a revered and beloved father, he proclaimed without a blush the obscurity of his birth:—

'Now I know,
More earnest thanks and loftier praise I owe.
Reason must fail me, ere I cease to own
With pride, that I have such a father known.
Nor shall I stoop my birth to vindicate
By charging, like the herd, the wrong on Fate,
That I was not of noble lineage sprung,
Far other creed inspires my heart and tongue;
For now should Nature bid all living men
Retrace their years, and live them o'er again,
Each culling, as his inclination bent,
His parents for himself, with mine content,
I would not choose whom men endow as great
With the insignia and the seats of state.'

We leave to Mr. Martin, greatly to our readers' advantage, the story of Horace's rise in the world. He believes that he 'had not been long in Rome, after his return from Greece, before he made himself a name.' His most valued friends were also the most serviceable to him. Virgil made him known to Mæcenas; Varius, already celebrated as a writer of epic poetry, and author of a tragedy applauded by Quintilian, seconded the recommendation, and after a delay of a few months—a probationary period not to be complained of by one who had fought on the side of opposition at Philippi—Horace was admitted to the great minister's inner circle of friends. Thenceforward his lines were set in pleasant places; the forfeited Venusian farm was replaced by far more than an equivalent for it in the Sabine territory, and the proceeds of his books added to his official salary, would enable him when tired with the country to hire a lodging in the capital. The story of his first preferment is, Mr. Martin observes, 'told with admirable brevity and good feeling in a satire addressed to his patron,' and in verse as admirably translated by the poet's best biographer:—

'Lucky I will not call myself, as though
Thy friendship I to mere good fortune owe.
No chance it was secured me thy regards,
But Virgil first, that best of men and bards,
And then kind Varius mentioned what I was.
Before you brought, with many a faltering pause,
Dropping some few brief words (for bashfulness
Robbed me of utterance), I did not profess
That I was sprung of lineage old and great,
Or used to canter round my own estate
On Satureian barb, but what and who
I was as plainly told. As usual, you
Brief answer make me. I retire, and then,
Some nine months after, summoning me again,
You bid me 'mongst your friends assume a place;
And proud I feel that thus I won your grace,
Not by an ancestry long known to fame,
But by my life, and heart devoid of blame.'

In one respect, Caius Cilnius Mæcenas was wiser in his generation than England's great statesman, the elder Pitt. The nation, who so loved, so honoured the great Commoner, never quite forgave him for accepting a peer's coronet, although none denied that he had earned it well. Perhaps the regal blood in the Etruscan Chatham's veins rendered him indifferent to any honour that Rome could bestow; perhaps he had seen too much of the Roman House of Lords at that period to covet equality with the 'splendidi, spectabiles, illustres,' who sat on its benches. To one content with the name and estate of a knight, the moderate wishes of Horace would be a recommendation as potent as Virgil's or Varius's good word; and his respect for his young favourite would increase when he found that, having attained a comfortable independence, Horace neither craved nor would accept of broader acres or of such guerdon or remuneration, as, if Donatus speak truly, were not refused by Virgil. The character of Mæcenas and his public position in Rome are so well and fully drawn by Mr. Martin, that to be admired his account of them needs only to be read.

On the Satires of Horace both in themselves, their drift, their form, or the easy felicitous verse in which censure or ridicule is conveyed, and in their relation to the best modern imitators, we have the following discriminate judgment:—

'The name Satires does not truly indicate the name of this series' (that is the First Book); 'they are rather didactic poems, couched in a more or less dramatic form, and carried on in an easy conversational tone, without for the most part any definite purpose, often diverging into such collateral topics as suggest themselves by the way, with all the ease and buoyancy of agreeable talk, and getting back or not, as it may happen, into the main line of idea with which they set out. Some of them are conceived in a vein of fine irony through-

out. Others, like "The Journey to Brundusium," are mere narratives, relieved by humorous illustrations. But we do not find in them the epigrammatic force, the sternness of moral rebuke, or the scathing spirit of sarcasm, which are commonly associated with the idea of satire. Literary display appears never to be aimed at. The plainest phrases, the homeliest illustrations, the most every day topics—if they come in the way—are made use of for the purpose of insinuating or enforcing some useful truth. Point and epigram are the last things thought of; and therefore it is that Pope's translations, admirable as in themselves they are, fail to give an idea of the lightness of touch, the shifting lights and shades, the carelessness alternating with force, the artless natural manner, which distinguish these charming essays. "The terseness of Horace's language in his satires," it has been well said, "is that of proverb, neat because homely; while the terseness of Pope is that of an epigram, which will only become homely in time, because it is neat."

'These hints of life and manners' (in another page writes Mr. Martin, whose sketches from Horace it is grievous to abridge, and yet impossible for us to transcribe at full), 'might be infinitely extended, and a ramble in the streets of Rome in the present day is consequently fuller of vivid interest to a man who has these pages at his fingers' ends than it can possibly be to any other person. Horace is so associated with all the localities, that one would think it the most natural thing in the world to come upon him at any turning. His old familiar haunts rise up about us out of the dust of centuries. We see a short thick-set man come sauntering along, "more fat than bard beseeme." As he passes, lost in reverie, many turn round and look at him. Some point out to their companions, and by what they say, we learn that this is Horace, the favourite of Mæcenas, the frequent visitor at the unpretending palace of Augustus, the self-made and famous poet.'

A day with Horace had been agreeably as well as learnedly described by that excellent scholar the late James Tate; but his sketch is better suited to classical students than to 'English Readers.' Mr. Martin's picture of an 'Horatian day,' accompanied as it is by his own translations, affords a striking instance of the possibility, where a scholar and a poet undertakes the task, of rendering, even at this eleventh and gainsaying hour, the great writers of antiquity pleasant as well as profitable companions. Schoolmasters and commentators, for the most part, have much to answer for, not on Horace's account only, but that of ancient classics generally. Their anxiety for the letter has frequently quenched the spirit of writers, and combined their names with painful associations of 'lessons forced down word by word.' The chief merit of Mr. Martin's biography and translations is that he altogether throws off these pedantic traditions, and Horace is restored to his true shape, a man of the world, and the author of the most perfect *vers de société* or social lyrics that were ever composed.

'It is one of the many charms of Horace's didactic writings, that he takes us into the very heart of the life of Rome. We lounge with its loungers along the Via Sacra; we stroll into the Campus Martius, where young Hebrus with his noble horsemanship is witching the blushing Neobulè, already too much enamoured of the handsome Liparian; and the men of the old school are getting up an appetite by games of tennis, bowls, or quoits; while the young Grecianised fops, lisping feeble jokes, saunter by with a listless contempt for such vulgar gymnastics. We are in the Via Appia. Barinè sweeps along in her chariot in superb toilette, shooting glances from her sleepy cruel eyes. The young fellows are all agaze. Here comes Barrus—as ugly a dog as any in Rome—dressed to death, and smiling Malvolio smiles of self-complacency. The girls titter and exchange glances as he passes; Barrus swaggers on, feeling himself an inch taller in the conviction that he is slaughtering the hearts of the dear creatures by the score. A mule, with a dead boar thrown across it, now winds its way among the chariots and litters. A little ahead of it stalks Gargilius, attended by a strong force of retainers armed with spears and nets, enough to thin the game of the Hercynian forest. Little does the mighty hunter dream that all his friends, who congratulate him on his success, are asking themselves and each other where he bought the boar, and for how much. Have we never encountered a piscatory Gargilius near the Spey or the Tweed? We wander back into the city and its narrow streets. In one we are jammed into a doorway by a train of builders' waggons laden with huge blocks of stone, or massive logs of timber. Escaping these, we run against a line of undertakers' men "performing" a voluminous and expensive funeral, to the discomfort of everybody and the impoverishment of the dead man's kindred. In the next street we run the risk of being crushed by some huge piece of masonry in the act of being swung by a crane into its place; and while calculating the chances of its fall with up-turned eye, we find ourselves landed in the gutter by an unclean pig, which had darted between our legs at some attractive garbage beyond. This peril over, we encounter at the next turning a mad dog, who makes a passing snap at our toga as he darts into a neighbouring blind alley, whither we do not care to follow his vagaries among a covey of young Roman street Arabs. Before we reach home a mumping beggar drops before us as we turn the corner, in a well-simulated fit of epilepsy or of helpless lameness. "Quære peregrinum"—"Try that game on country cousins"—we mutter in our beard, and retreat to our lodgings on the third floor, encountering probably on the stairs some half-tipsy artisan or slave, who is descending

from the attics for another cup of fiery wine at the nearest wine-shop.']

In this description of life in Rome, culled from many scattered passages, there is the minuteness of Tom Brown—not the excellent chronicler of Rugby school under Dr. Arnold, but a Thomas old enough, though not of kin, to be that Honourable Member's great-grandsire—and the humour of Steele writing a number of the 'Tatler,' in a happy moment, when he had been taking neither more nor less burgundy than was good for him. Besides the keen observation of the one and the genial spirit of the other of these English worthies, Horace possessed the delicate wit of Addison, and many of his satires and epistles are conceived and composed in the very best vein of the 'Spectator.'

That the Latin poets borrowed, indeed 'conveyed' freely from the Greeks, is known 'lippis tonsoribusque atque.' Virgil was, like Milton, 'a rich robber' who transmuted the silver of the Rhodian Apollonius into the sterling gold of the Æneid. It was the ambition of Propertius to be called the Roman Philetas and Callimachus, and although Tibullus's models are less known to us, his tender and melancholy muse savours more of Samos or Smyrna than of Italy. But it was not from Alexandrian types that Horace derived his laws for lyrical composition. Night and day he turned over the page of authors that even to him were ancient classics. Like Catullus he drank at the fountain-head, but he quaffed more deeply than the poet of Verona did from the celestial spring. The great masters of Æolian song were his exemplars. And not only was he careful in his choice and sedulous in his study of them, but he distinguished between those who would bear transplantation into Italian soil and those that would refuse to take root in it. Wisely and well did he decline to borrow Pindarian wings.

> 'He who'd rival Pindar's fame,
> On waxen wings doth sweep
> The Empyréan steep,
> To fall like Icarus, and with his name
> Endue the glassy deep.
>
> 'I, like the tiny bee, that sips
> The fragrant thyme, and strays
> Humming through leafy ways,
> By Tibur's sedgy banks, with trembling lips
> Fashion my toilsome lays.'

And no less wisely did he perceive that the Alexandrian poets, with the exception of Theocritus, belonging to a period of decadence, were unfit types for one aspiring to become for Latium, 'princeps Æolii carminis.' Had he *pindarised*, it would indeed have been in very different fashion from that of Abraham Cowley's 'dancing words and speaking strings.' Yet keeping in view the age, the country, and the language he had to deal with, he would have fallen far short of the felicity displayed by him in catching the form and spirit of Alcæus and Sappho had he aspired to the heights of Ode Isthmian or Nemean. In his adaptations of the Greek lyrists Horace did for Roman poetry what Cicero had done for Roman philosophy. He presented it to his countrymen under forms the best suited to their practical and rhetorical, rather than sensitive or imaginative character.

But for the lyrical poetry of Horace, in all its stages—and between the first book of his odes and the fourth there is a very perceptible difference—a progress that can only be measured by attentive study of his works—we must refer to Mr. Martin's volume. In nothing as a translator has he shown himself more judicious than in the very various measures employed by him in transferring his original from one language to another. So far as the Latian muse can be transferred in its spirit to English verse, it is so in his version. He 'treads a measure' lightly when it is light and joyous in Horace: he can draw the trumpet-stop too when it is demanded: he can mourn with the poet, and convey the various accents of his *amours volages*, and of his *very* few entanglements with a serious passion such perhaps as was that for Cinara. We have space only for the following caution to the credulous as to the numbers of the Horatian Hareem:—

'It may be that among Horace's Odes some were directly inspired by the ladies to whom they are addressed; but it is time that modern criticism should brush away all the elaborate nonsense which has been written to demonstrate that Pyrrha, Chloe, Lalage, Lydia, Lydê, Leuconoë, Tyndaris, Glycera, and Barinê, not to mention others, were real personages, to whom the poet was attached. At this rate his occupations must have rather been those of a Don Giovanni than of a man of studious habits and feeble health, who found it hard enough to keep pace with the milder dissipations of the social circle. We are absolutely without any information as to those ladies whose liquid and beautiful names are almost poems in themselves; nevertheless, the most wonderful romances have been spun about them out of the inner consciousness of the commentators. Who would venture to deal in this way with the Eleanore and "rare pale Margaret," and Cousin Amy of Mr. Tennyson? The ancients, as Buttmann has well observed, had the skill to construct such poems, so that each speech tells us by whom it is spoken; but we let the editors treat us all our lives as school-boys, and

interline such dialogues as we do our plays, with the names. Even in an English poem we should be offended at seeing Collins by the side of Phillis.'

In Horace, Rome had her Montaigne, her Lafontaine, and her Elia; and if a comedy of manners had at the time been possible, she might have had her second Terence also, and perhaps no *dimidiatus Menander* as Cæsar termed the first. For in his epistles we have the humour and pathos of the English essayist, the strong common sense and shrewdness of the French one, and a gift of condensed, yet complete narrative like that of the great modern fabulist. Lamb and Lafontaine are as felicitous in their several manner as the Roman poet, and if Montaigne be at times less careful and polished in his diction than they were, his careless inimitable beauties entitle him to a place in the Horatian tribe.

And besides being the censor of manners he was the critic of literature, and with such success as to inculcate his precepts on ages long after to be born. Horatian canons guide Julius Scaliger no less than the Daciers and Voltaire, Dryden and Pope. Niebuhr, indeed, is wroth with Horace for his low estimation of the early Roman poets, and especially for his insensibility to the great merits of Plautus. But he does not take into account that satire, such as that of Horace, was indigenous in Italy, that Greece afforded no example of it, and that consequently the language in which satirical verse was couched was an off-shoot from Lucilius, and not from Archilocus, and that the Latin of Lucilius was too archaic in its tone for the Augustan writer. The lyrical poems of Catullus may breathe a freer atmosphere than that in which the Horatian odes expanded and flourished; yet the perfect form of Alcaic or Sapphic measure demanded for its reception in a western land, not merely a severe discipline of the Latin tongue, but almost its reconstruction. Lines from Ennius might find a place in Lucretian poems, or in the Æneid; but they were too rough for the delicacy of the lighter muse; and Horace, in a scarcely less degree than Dante or Milton, was the creator of the language needed for Latin lyric song.

Of the second epistle of the second book, and the Epistle to the Pisos, generally known as the *Ars Poetica*, Mr. Martin says:—

'The dignity of literature was never better vindicated than in these epistles. In Horace's estimation it was a thing always to be approached with reverence. Mediocrity in it was intolerable. Genius is much, but genius without art will not win immortality; "for a good poet's made, as well as born." There must be a working up to the highest models—a resolute intolerance of anything slight or slovenly—a fixed purpose to put what the writer has to express into forms at once the most beautiful, suggestive, and compact. The mere trick of literary composition Horace holds exceedingly cheap. Brilliant nonsense finds no allowance from him. Truth—truth in feeling and in thought—must be present, if the work is to have any value. "*Scribendi recte sapere est et principium et fons:*"—

> "Of writing well, be sure the secret lies
> In wisdom, therefore study to be wise."

Whatever the form of composition—heroic, didactic, lyric, or dramatic—it must be pervaded by unity of feeling and design; and no style is good, or illustration endurable, which either overlays or does not harmonise with the subject in hand.'

'Soon after this poem' (the Epistle to the Pisos) 'was written, the great palace on the Esquiline lost its master. He died in the middle of the year 8 B.C., bequeathing his poet-friend to the care of Augustus, in the words "Horâti Flacci, ut mei, este memor." But the legacy was not long upon the emperor's hands. Seventeen years before, Horace had written:—

> "Think not that I have sworn a bootless oath:
> Yes, we shall go, shall go,
> Hand linked in hand, where'er thou leadest, both
> The last sad road below."

The lines must have run in the poet's ears like a sad refrain. The Digentia lost its charm; he could not see its crystal waters for the shadows of Charon's rueful stream. The prattle of his loved Bandusian spring could not wean his thoughts from the vision of his other self wandering unaccompanied along that "last sad road." We may fancy that Horace was thenceforth little seen in his accustomed haunts. He who had so often soothed the sorrows of other bereaved hearts, answered with a wistful smile to the friendly consolations of the many that loved him. His work was done. It was time to go away. Not all the skill of Orpheus could recall him whom he had lost. The welcome end came sharply and suddenly; and one day, when the bleak November wind was whirling down the oak-leaves on his well-loved brook, the servants of his Sabine farm heard that they should no more see the good, cheery master, whose pleasant smile and kindly word had so often made their labours light. There was many a sad heart too, we may be sure, in Rome, when the wit who never wounded, the poet who ever charmed, the friend who never failed, was laid in a corner of the Esquiline, close to the tomb of his "dear knight Mæcenas." He died on the 27th of November, B.C. 8, the kindly, lonely man leaving to Augustus what little he possessed. One would fain trust his own words were inscribed upon his tomb, as in the supreme hour the faith they expressed was of a surety strong within his heart—

"NON OMNIS MORIAR."

Virgil, in his last moments, desired his friends to commit to the flames the epic poem on which he had spent so many studious hours, bestowed so much archaic lore, and which he clad in measures so majestic and mellifluous. Did he pronounce this sentence because he regarded the labour of years as still an imperfect work? or because, at the solemn period of final self-examination, he repented of the praise he had lavished on one whose hands had been so deeply stained with Roman blood, whose rule was incompatible with Roman liberty? Ovid had good reason to regret that he had blotted so little, even if one at least of his poems were not among the causes of his long and hopeless exile. The other elegiac poets of that time probably thought that if their soft and 'amorous ditties' pleased a polite and not very scrupulous audience, it was enough: yet Propertius may have lamented, if he lived long enough to see the success of Ovid's Fasti, that he did not persevere in his own work on the Roman legends and calendar. But such retrospect touched not Horace. In all his writings, even in those which the more scrupulous taste of modern times regards with a sigh or a blush, he had enforced the duties of moderation and manly virtue, held up to a selfish generation the great examples of Regulus and Cato, and laboured to show, both by precept and example, the superiority of simple and inexpensive pleasures to prodigality and excess. Like Shakspeare, he left no heirs of his genius. No lyric poet after him is endurable; after *his*, the alcaics and sapphics of Statius, in other respects a genuine poet—read like a school-boy's exercise, and that not of the best kind. No epistles in verse succeeded the Horatian; and if satire, in Juvenal's hands, reached at times a higher mode, yet the *sermones* of the earlier poet exhibit a refinement and grace denied to the censor of Aquinum. Horace was perhaps the severest critic of his own writings. He weighed maturely his powers: no unhealthy lust for applause seduced him from the course he laid down for himself. Urged to celebrate Cæsar's glory in war, he declined: such high themes suited stronger or more ambitious bards. And his 'exceeding great reward' is to be the poet of ages, instead of one period and one people; to be read in lands never overshadowed by the Roman eagles; and to be cherished, by the descendants of races whom he accounted barbarous, as a sage instructor, a genial companion, and, wherever the ancient classics exist—'a possession for all time.'

ART. X.—1. *A Tactical Retrospect.* Translated from the German by Colonel OUVRY, C.B. 2nd edition. London: 1870.
2. *Rapports de M. le Baron Stoffel, adressés au Gouvernement français.* Paris: 1871.
3. *The Organisation of the Prussian Army.* By Lieut. GERALD TALBOT, 2nd Prussian Dragoon Guards. Berlin: 1870.
4. *Des Causes qui ont amené la Capitulation de Sédan.* Par un Officier de l'État-Major [Napoleon III.]. Bruxelles: 1870.
5. *Der Krieg um die Rheingrenze*, 1870. Von W. RÜSTOW. 1ste, 2te und 3tte Abtheilung. Zürich: 1870–71.
6. *Der deutsch-französische Krieg.* Von Oberst BORBSTAEDT. 1ste Lieferung. Berlin: 1871.

WHEN the battle of Waterloo was fought and won, astonishing the victors themselves with the magnitude of its results; when they saw the army which had been the terror of Europe broken, and the Empire which it had created destroyed, it was natural that in the completeness of so great a triumph imperfections of detail should be forgotten and individual errors condoned. Mistakes of judgment—and there were many—were purposely passed over; errors in conduct—and of such there were not a few—were tacitly forgiven; and the allied armies pressed on to finish their work in the restoration of the Bourbons, content to let the world for the time believe that their achievements in the four days' campaign had been marked by no doubt or blemish. The first hasty narratives which appeared convey the impression of the time accurately enough, breathing patriotism, confidence, and triumph over the defeated enemy, with unmixed admiration of the allied generals and their troops. They show little appreciation of the gigantic conception with which the exiled Emperor had opened his campaign, or of the fine conduct of those who followed him to his ruin. It was reserved for the critics of later years—some guided by national or personal sentiment, some by the higher spirit of truth—to do justice to the fallen, and to show to the world those weaknesses of his adversaries on which Napoleon had vainly reckoned for success.

Thus, too, it is now in a measure with those who would review at this early date the late war on the Continent. We are as unable to criticise it fully and fairly as to forecast the political results which Europe has yet to see developed. The Germans have shown such a marvellous superiority to their ancient enemies alike in organisation, strategy, and tactics, that attempts to compare the two seem to run naturally into blind

adulation of the victors. Their conquest of Gaul has been as unbroken and complete as Cæsar's ancient triumphs over its divided tribes. When we look back to compare this with former wars between the same nations, we are almost driven, in despair of better explanation, to adopt the easy theory of the complete degeneracy of the people of France, and to believe that those who now fill that land are no true children of the warriors that sixty years since gave law to Europe, but a mean and debased progeny, unfit to bear arms, or to boast of their country's greatness. Yet from Solferino to Sedan is but a small space in the life of a man. It is but ten years since, as we not long ago pointed out,* that a Prussian prince, high in his country's service, found his comrades gravely anxious as to the possible results of a collision with the French flushed with their Italian triumphs. Casting his thoughts into burning words for the benefit of his country, he gave the keynote to that regeneration of the national army which has made the vision of German unity a reality, and buried German democracy, at least for a while, in the new empire of the sword. Not that all that has been done since 1850 for the success of Prussian arms is the fruit of Prince Frederic Charles's labours, or the result of his teaching. But he was the first to point the way to the glories since won by the army in which he serves; he filled the national want of his time by showing Prussia how to meet the threatened danger, and to draw from the adversary's example the means of safety and of victory. If his profession be, as we write, the most prominent in this age of arms, and his own service the highest example of its perfection, the credit which is due to one who can both think and work, who can draw practical lessons from events studied though not witnessed, is surely his in the highest degree. Let those, however, who have forgotten in the glare of the recent victories of Germany her adversary's former renown, turn back to the Prince's historic pamphlet to know what was thought of the French but ten years since by one of the chief soldiers of Prussia. Confidence he had even then in the qualities of his comrades; but his confidence was conditional on their coming change of system, and was unmixed with one thought of contempt for the armies or the generals of France.

On the other hand, France, as we before briefly showed, had no such guiding spirit among her soldiers; and if she found in their ranks a critic so keen and honest as General Trochu, it was but to misjudge him as a traducer of her traditional renown and to leave him in obscurity, whilst sycophants were promoted to high offices. So the army that had overthrown Austrian domination in Italy reposed on its laurels, and retrograded in efficiency with each advancing year; whilst Prussia, on the other hand, reformed and strengthened her system from year to year, and braced herself to action under the stirring pressure of two victorious campaigns. Had the rough school of constant war been open to the French, had their army been once more traversing Europe in successive campaigns under a Napoleon, the wants now so patent in its organisation would have been met by the pressure of circumstances, personal qualifications would have produced an efficient staff by the process of selection, and the national quickness of perception, brought out by practical training, might have compensated in the mass for the lack of high professional teaching. But even Algeria had ceased to be of use as a school. After the surrender of Abd-el-Kader the operations there became limited, infrequent, and partial. Their Mexican experience was the chief lesson any of the French received, and the too easy success gained over the Republican levies of Juares, only misled those who shared it as to what an European war would mean in these days of improved weapons and diligent training. Even Niel, the most far-sighted of the Imperialist generals, mistook the signs of the times in 1866, and devoted his efforts to gaining breech-loaders for the army and increasing its reserves, overlooking the high discipline and diligent practice, which no less than their needle-gun and organisation, carried the young troops of Prussia to the unhoped-for triumph of Sadowa. Moreover, such as Niel's reforms were, they came altogether too late for their purpose if war was to be made last summer.

At that date, as we now know well, the numbers the French could put into the field were hopelessly inferior to those mustered against them. The new system of reserves was still incomplete. The Mobiles were untrained. The ex-Emperor tells us himself, in his Apology, that he reckoned on beginning the campaign with no more than 250,000 men in first line, and a reserve of 50,000 at Chalons, against at least half a million of Germans. That he should have entered it on such terms of disparity seems to show that a monarch whose judgment on such matters was once highly esteemed, overrated vastly the individual worth of his own troops. Yet he had seen them fully tested in the field. At their head he had out-manœuvred the Austrians by superior skill on ground of their own choice, and beaten an equal army

* Edin. Rev. October, 1870.

in fair fight in one of the greatest actions of the world. It needs no argument to show that the Imperialism which won such successes in 1859, though deeply responsible, cannot of itself altogether account for the defeats of 1870. But there are two special causes, in addition to the corruption already noticed, which go far to explain the difference in the actual quality of the armies that met in the east of France last August. The long-standing malady of the French service—the want of discipline inherited from the Revolution, and noticed so plainly by De Fezensac sixty years since—had become a festering sore, destroying the vitals of the military system. The French encountered enemies who had not only profited by their own teaching as to freedom of manœuvre, but had far surpassed them. On the latter of these points it will be necessary to speak in some detail: but for those who would understand one special cause of recent Prussian successes, it will, we trust, be thought no waste of time to follow us.

Being at Vienna not long after the campaign of 1859, we had opportunities of observing the diligence with which the Austrians were labouring to overtake their late adversaries. Their infantry were trained to perform all their movements at a rapid run. They manœuvred as quickly as the best Chasseurs or Zouaves have ever done; and being under far stricter discipline than the French troops whom they imitated, their manœuvring left them in much better order when they rallied or halted. Indeed they seemed to an impartial observer to have attained the utmost limits of method combined with rapidity. Their own officers, including some of the best practical soldiers then in Europe, appreciated the change so highly that they longed for an opportunity of testing it on their late conquerors. Thus when Benedek, not long afterwards, found himself instead of these opposed to the Prussians, and to that formidable needle-gun, of which some of his most trusted officers had a reasonable dread, he went cheerfully to the shock, exhorting his troops by their dash and quickness to make amends for their inferior weapon, and believing fully that against a supposed phlegmatic and solid enemy their newly-acquired activity would prevail.

No one who reads Benedek's orders to his army issued in the spring of 1866, will fail to perceive that he was well acquainted with the Prussian 'Tactical Instructions,' and that he was misled by that portion of them which lays special stress on the value of the breech-loader for receiving an attack, into the belief that his enemy would as a rule so stand to await it. He had not discovered the astounding elasticity and quickness which the development of *the use of the company as a unit for manœuvring* has given to the Prussian infantry. It was owing to this reform, of which we are about to speak, that despite the celerity of the Austrians, their battalions were repeatedly out-flanked unexpectedly in the first affairs of 1866, a manœuvre which, when carried out by troops armed with so superior a weapon as the Prussian, was almost invariably decisive.

The separate manœuvring by companies dates from the Prussian Drill Regulations of 1847, the instructions of which provide for the breaking up at a single word of a battalion of four companies drawn up in a line three deep, into four small columns, each composed of three *zugs* or subdivisions of only two ranks deep; for the third or skirmish rank of each company, when it is thus formed into a column, is changed by a simple movement into a *zug* of two ranks, and takes its place in rear of the rest of the column. The company then becomes practically a small and very handy battalion of three divisions, each about forty strong on the peace strength, but eighty when on a war footing. It remains a distinct battalion, manœuvred as such by its captain, himself mounted for the purpose of such independent command, until recalled by the field officer at his discretion. Provision is similarly made for working two companies together in such columns, and they become then in practice a battalion of 250 or 500 men, according as the footing is that of peace or war. When it is further added that all movements in company column are to be performed without keeping step, and that it is to be discretionary at all times whether the third or 'skirmish' rank be used for skirmishing, it becomes apparent that the foundation of the lightness and mobility of the movements of the present day was laid when these instructions were prepared, and that no modern army has ever before felt its way to tactics so light and handy. A battalion of a thousand men, manœuvred as such, is far more cumbrous and more difficult for a single leader to handle than one of two hundred and fifty, which, when thrown into column, brings every man under the immediate eye of a quick-sighted commander. But to move four of the latter independently, keeping a general direction for the whole, and preserving the distances only roughly, is as easy as to move one, when the battalion commander chooses to delegate his authority for the details to the captains. It has been often said that these Drill Regulations (which, with few alterations, remain the text-book to the pre-

sent day) are wonderfully elastic. It would be more correct to say that in permitting this wide divergence at a single word from the old notion of the battalion formation, and leaving the adoption of the company system optional with every higher officer who should deem it expedient, the framer of the instructions prepared an actual revolution in the use of infantry. This revolution when it came proved only secondary in importance to the introduction of the art of skirmishing, by which, when fully developed, the system Frederic the Great had framed with such toil was in an hour undone, and the old prestige of the Prussian infantry ruined for half a century. With it, moreover, came the use of the breech-loader, making the fire of the single large company as telling as that of the old battalion had been, and thus completing the effect of the new system.

The revolution, however, was long in accomplishment. The years that followed were years of peace, and the battalions and companies rarely mustered with more than half the strength credited them in war, the latter therefore being small, and the former not unwieldy as individual units. The change from the old drill to the new was left in the hands of the senior officers, inclined by feeling and custom to the belief that to manœuvre by battalions was the natural formation of infantry, and that none but very exceptional circumstances could justify that complete delegation of the commanding officer's powers into the hands of his captains, which the simple words 'Form company columns' carried with them. In short, the reform which appears to have been aimed at tentatively in 1847, was left to be worked out chiefly by those who felt it as a loss to their own authority; and except as a mere experiment, the notion of systematically handling each battalion of a line by fragments instead of as a unit, would probably have slumbered on hidden in the drill book for any number of years that peace endured. The practical test of war was needed to cause the old routine to be felt as a hindrance, and show the merits of the newer method. Even those who served in 1866 do not appear to have understood that the so-called elasticity of the drill instructions was in fact the result of putting together into one set of rules two systems of manœuvring vitally opposed to each other, nor that the one of these would, when by repeated use its value was established in practice, cause the other to be laid aside, at least in the field, as cumbrous and obsolete.

In the now famous essay known as the 'Tactical Retrospect,' briefly noticed by us last October, the gallant author* of which has fallen but recently on the field of battle, the struggle between the opposed systems at last assumed definite proportions. The Prussian army learnt from an able and severe review of its own proceedings, that the Bohemian operations which had seemed in the gross so perfect, were full of imperfections in detail. The infantry in particular discovered that the mode of fighting which had carried them round the flanks of their enemies on so many occasions, and, combined with their quicker fire, had given them an easy victory, was in reality the adoption as a rule of the hitherto exceptional company column, forced by circumstances on those hitherto averse to owning its practical superiority. A single extract from Colonel Ouvry's translation will suffice to show how the change has come about:—

'Let anyone compare the state of a single battle of 1866, with regard to the positions of every division of the army after the troops had been well engaged, and the old-fashioned order of battle. It would however be very rash to conclude that all this was a great series of error; far better would it be to ascertain how far these new phenomena are legitimate and reasonable.

'The mounted officers are obliged to dismount, which makes the supervision and direction impossible, which is so easy in peace-time manœuvres. Frequently the dismounted field-officer, somewhat unaccustomed to quick marching over stock and stone, is scarcely able to keep up with his battalion; thus the breaking up into columns of companies is for him a solution of his difficulty. He thinks that certainly the four officers commanding the companies will know what to do, so he attaches himself to a company. The original commanding officers of lines are in the same predicament; their lines are broken up and scattered in all parts of the battle; thus they are obliged to give up all idea of commanding them, and attach themselves to the first company of infantry that offers, and, in order to do something, command that. It thus happens that some companies, favoured by chance, have besides their own captain, a major, a colonel, and a general as well; the company will not perhaps be better commanded, but those officers will at least have done all that remained in their power. They are all in the first line . . . . The whole line of battle has thus become nothing more than a fight between a number of company leaders and the opposing enemy. This manner of fighting exclusively by columns of companies, and their employment on all occasions, is a momentum which has peculiarly developed itself in the Prussian army.'

* Indisputable evidence has been placed in our hands as we write, that this celebrated pamphlet was the work of Captain May, late of the Prussian 44th Regiment, who fell in Goeben's winter campaign in the north of France.

Clear as this writer is, it must be remembered that he wrote for Prussian officers, who knew by practice both of the forms used by their infantry, and were to think of each as part of the same drill. Even he himself seems hardly to have been fully conscious that the battalion under a mounted officer, manœuvring three deep in line or in a heavy column, with its skirmishers formed of part of its third rank; and the battalion broken into four companies moving in light columns of two-deep formation, each led by its captain on foot, and preserving merely a general direction and distance from one another; were two essentially different systems of drill. To us it seems plain that the test of war carried on in the face of rifled weapons, was instinctively causing that to be adopted which was suited to the circumstances of the age, by a sort of natural selection from among the forms allowed.

It was precisely by such a process that the French had arrived at their use of columns and skirmishers before the beginning of this century. This form, to which they universally came in their revolutionary wars, was one provided by their drill book for special circumstances, viz., the advance against a village through enclosures. They proved its general convenience, and learned to hold to what suited their half-disciplined battalions: and so the rest of the book fell into disuse: we believe indeed that it was never formally abrogated. Thus too it had been with the Prussians in their late wars. There have been many struggles against the change. General Steinmetz, it is understood, never went beyond halfway to admitting the value of company columns, and manœuvred his corps through its gallant exploits on the way to Koeniggratz in the alternative form of half-battalions admitted by the drill instructions, keeping two companies constantly together. In several of the greater actions of the late war, at Woerth especially, and Gravelotte, whole brigades were formed in certain instances into columns by battalions, for decisive attacks on positions shaken by the constant fire of concentrated batteries. On the other hand, wherever the fighting has been of the most close and desperate character, or wherever great rapidity of movement has been desired, the company column has asserted its natural advantage. Official details are generally silent as yet upon this point, but in private letters we have abundant testimony to the superiority of the newer form. We find the company column constantly employed in detached affairs of the Mecklenburg corps in Brittany, the companies here manœuvring with more than the independence hitherto permitted to battalions. Company columns were used in the sharp counter-attacks made after French sorties from Paris to recover the investing lines. In like manner, when Faidherbe's troops became confused in their defensive battle before St. Quentin, Goeben's left pushing forward with some companies wholly resolved into skirmishers, and some with the usual reserve in support, overthrew the French right, and turned confusion into hopeless disaster. With company columns the feeble efforts of the Garibaldian irregulars before Dijon were beaten off by vastly inferior numbers; for the German troops were trained to rapidity of movement that no irregulars could surpass, and maintained withal the cohesion that irregulars never know. But the most striking instance as yet made known of the value of the new formation was its adaptation to the attack on the heights of Spicheren at the very beginning of the campaign—a marvellous military feat, of which we would speak in detail.

The hill that Frossard was posted on has been compared to the well-known plateau of Cæsar's camp which dominates the practice-grounds of Aldershot. It falls so steeply towards the German frontier-line, near Saarbrueck, which it overlooks, that it was impossible for the Prussian skirmishers, as they mounted the slope, to use their weapons. Nevertheless, Kameke, encouraged by the evident signs of retreat which he saw on arriving at Saarbrueck, did not hesitate to attack the position boldly. Frossard, under orders contradicting others received a little earlier, had been drawing off his troops to co-operate in an attempt on Saarlouis, which was designed to balance the ill news from Weissenburg. On the alarm he sent instructions to his front to arrest the movements of retreat, and to line the hill against the threatening mass below. Although this was promptly done, and although Kameke's left brigade lost its commander, Francois (a general whose brevet was but a week old), and failed to gain footing on the heights, yet the skirmishers of the right brigade pushed their way to the brow of the hill—sheltered partly by its extreme steepness—and lodged themselves, followed almost without interval by their separate supports, in the wood on the French left about Stiring. They were mere knots of men, these supports, and the skirmishers in front of them often enough parts of other companies; but the thin scattered line which had thus carried the hill was never attacked by any reserve strong enough to break it. It held the crest of the plateau resolutely for full two hours, during which Kameke, having pushed every man of his infantry forward,

was in the precarious position of a general absolutely without reserves. But Frossard, who—whilst confused by the opposing orders received that morning within a few hours—had been attacked wholly unexpectedly, had no reserve formed, or had not the judgment to use it boldly. At 5 P.M. his chance had slipped away, for a regiment hurried up by Goeben had come in on Kameke's exhausted left, Alvensleben was pressing on the van of the IIIrd corps to the same side of the battle, the advance-guard of Glümer's division (of the same VIIth corps as Kameke's) was appearing beyond the French left; whilst Bazaine's divisions expected by Frossard were not yet heard of. The fight was now decisively against the French. With Alvensleben's support, their right, which had hitherto resisted the attack, was carried by Kameke's and Goeben's troops. The counter-attack ordered by Frossard on his left was repulsed. And soon the German batteries, finding their way up the plateau, drove the French southward in confusion, which only did not become worse than a disorderly retreat because darkness had already fallen on the victors. A line of infantry, part of an army hitherto thought invincible, planted in a position whose steepness seemed to defy assault, had been driven from it fairly by the attacks of numerous light columns, strong enough to hold unitedly the vantage-ground they won bit by bit, and yet so light as to be able to follow the movements of their skirmishers up the broken steep, and to avail themselves of each irregularity in its surface for cover on the way. This is a single but striking instance of the advantage of a system under which advance becomes so easy that the difficulty is, as the 'Retrospect' shows, to prevent the second line from rushing on instinctively to take its place with the first, and the whole from breaking into skirmishing order. Only those firm relations on the men's side of confidence in the commander, and on the officers of the power of enforcing perfect compliance with their orders, which a strict and steady discipline inspires, can enable troops to venture on so loose a system. 'Should foreign armies,' wrote Captain May, 'think of imitating our company-column fights, they must take into consideration how it stands with them with regard to the fundamental principle—that is, the relations between their officers and men. They will otherwise adopt the disadvantages without gaining the benefit.'

Nor is the education of the private a mean element in this calculated freedom, which approaches the ideal of 'an army of skirmishers,' first conceived by the genius of the Prussian author Bülow, when fresh from watching the contests of the American revolution. 'An army,' says the national critic we have hitherto followed, 'which cannot venture to trust in the individual worth of its soldiers so far as to let them fight in this manner, cannot reckon on the advantages to be derived from the operation of the breech-loader.'

Doubtless the gallant author of the 'Retrospect' carried his theories somewhat too far. When he declared in his later work, 'The Prussian Infantry in 1869,' that 'to employ the column formation for the battles of the next war would be to take the consequences of enormous losses and defeat,' and desired that 'the companies should fight under the orders and direction of the field officer of the battalion, but never under his word of command,' he laid himself open to sharp rebuke from high authority, as we noticed six months since,* and to the still sharper rebuke of the logic of facts. For at Woerth and Gravelotte, as before briefly mentioned, heavy columns of Prussian troops were advanced, despite his prophecies, with heroic courage and perfect success, against the enemy's position. But then it must be added that the position had in each case been already searched out and weakened by the German artillery.

It is at this point, where the controversy passes from drill to tactics, that the bold critic of his own army's successes seems to be at one with those who have answered him severely. In the 'Retrospect' he points out 'that the future mission of artillery on the offensive is to make it the principal object to play on the infantry of the enemy; for an attack can only be thought of when this is weakened'—in short, to study to do by rule what Napoleon did by a sort of instinct, when he had created officers capable of carrying out his brilliant conceptions. Nor does his adversary, Colonel Bronsart, whether writing wholly or only partly from Count Von Moltke's ideas, pretend that he is wrong, but rather evades the point by asking 'Is it to be supposed that that side would conquer which had the best artillery and the worst infantry?—a question which few would be so bold as to answer in the affirmative. Certainly in the cases we have mentioned no one will assert that the attacking infantry was not fully equal to that against which it advanced. But the latter were not so inferior that columns of brigades, or rather brigades massed in columns of battalion, could have been advanced against the far-ranging chassepôt without destruction, had

* Edin. Rev. October 1870.

not the long and concentrated fire of the German guns prepared the way.

Such instances seem, however, to have been exceptional during this war. On the other hand, the handy company column adapted itself to every emergency, from the general advance of a whole division at Forbach down to the pettiest skirmish in Brittany, and everywhere proved its superiority to the closer formations of the French. Eye-witnesses assure us that in the early actions of the war, in the first hours of the battle of Woerth especially, the opposing forces, when closing, seemed on either side confounded in a mass of skirmishers. But studying the same accounts still further, we learn that the Germans, if temporarily retiring, invariably retained their cohesion, whilst the French, in similar circumstances, lost all power of rallying. Nor was this due entirely, as has been supposed, to the moral difference between the contending parties. Rather it was that the French, imitating their Algerian light troops, had trained their whole infantry to move in a looser method than of old, and one therefore which all the more demanded as an essential element the discipline and habits of subordination by which alone masses of men thrown out as skirmishers can be linked and interchanged freely with their supports. The Germans, moving quite as loosely, and in bodies of much more mobile size, were trained to such an intelligent obedience that, as the 'Retrospect' has it, writing of the Bohemian campaign, their leaders 'could, without too much risk, venture on a greater division and intermixture of their companies than others.' For if, in retreating, the skirmishers of one company became mixed with another, the mixture implied no confusion, nor any tendency to insubordination on the part of soldiers taught to pay equal respect and obedience to all officers of the army. Perhaps at no time in modern French history, since social equality became the ruling passion of the nation, certainly not since extreme looseness of order became the national method of fighting, could French soldiers, separated from their regiments and falling hastily back, have been safely relied on to obey any chance officer who rallied them. And of late years the Emperor's failing grasp of military affairs had left the charge of his army to men who held chiefly to the form and show identified with their own rank, and neglected utterly the moral elements of the service. Such discipline as had been known in the first half of his reign, when the favoured troops who sustained the Imperialism dear to the traditions of the French soldier had an old reputation to revive, became changed into the gilded show of prætorian cohorts, defenders of a rotting Empire, when the army learned to repose in fancied invincibility on Crimean and Italian laurels. Thus the disintegrating effect of the freedom and carelessness of movement imitated from the Chasseurs d'Afrique and the Zouave, was counteracted by no spirit of method such as pervaded the Prussian system, and no habit of obedience like that of the North German soldier. In real action it became simply irregularity, which no word or effort of the leaders could prevent from passing quickly into disorder upon any reverse.

The process of deterioration was aided by the fatal error long since denounced by General Trochu, under which the ordinary French regiment of the line has been made a mere field of selection for other services. Stripped of its élite, first to fill up a huge corps of Guards, and next to supply vacancies in other favoured services, the best of the remaining men of each battalion were drawn into the two flank companies,* and the bulk left composed of that most fatal element, men who were held to be fit for nothing else. Officers of spirit and ambition naturally avoided service in the line under these conditions, or spent their lives in trying to escape from it into one of the many corps d'élite, leaving the regular battalion to be led by a residuum of the grumblers, the slothful, the worn-out and disheartened — men to whom so many days' duty meant merely so many days' pay earned by a round of duties performed with undisguised weariness, and whose only notion of discipline was the exercise of that petty authority dear to the martinet in time of peace, which disappears at once in the test of field-service. The Prussians too have their corps of Guards; but this is recruited from the whole kingdom, independently of the provincial organisation, not chosen out of the contingents first taken for other services. The custom is time-honoured, and maintained by the conservative force of prescription; but it has not been allowed with them to take such a form as to prey on the vitals of the service.

On the whole, then, it will be seen that the German nation had advanced in its infantry tactics an important step beyond that taken by them in imitation of the French half a century before. The French, without altering their system of keeping the battalion as the unit for manœuvring, had

* A grenadier and a light company. This same system was maintained in our own line battalions until the present Commander-in-Chief, in view of its plainly injurious action, had the courage to abolish it.

made their method of employing it more free. But their want of discipline created from every advance in this direction a more dangerous tendency to disorder; whilst its maintenance among their adversaries, aided by the intelligence of the educated soldiers of Germany, enabled the latter to gain the full advantage due to the breech-loader, by combining its careful use with the rapidity of movement necessary to bring it as speedily as possible to bear. The old theoretical rule, enforced unsparingly by the Prussian commanders, had been to throw out as few skirmishers as possible. The exact reverse, as the 'Retrospect' informs us, proved the necessary and right practice in 1866; for every soldier sought to give full effect to his trusted weapon, and the companies on the slightest proper opportunity dissolved themselves spontaneously into a cloud of skirmishers, 'not so much at the word of command, for amid the noise the leader could perhaps hardly hear himself, but as the natural consequence of the positions in which they were placed.' Still, amid this apparent disorder they retained the cohesion and steadiness of aim due to their careful training. 'The virtuous indignation with which every miss has been put to the losing side of the account by the instructor was repaid with interest.' And the officers retained their hold over those around them, 'looking,' according to the national critic, 'to the spirit of these apparently irregular practices, and not allowing themselves to be disconcerted by them.' Far different was it with their adversaries in the late war. The panic flight of MacMahon's right from Woerth in a mass of fugitives mixed from every regiment on the way, showed that on the French side the power of rallying under fire the loose formation, with which it was easy enough to advance, had been lost by their officers. Their infantry was prepared to be victorious; it had no power of facing defeat. Let anyone compare the accounts of the conduct of MacMahon's troops with those of the Austrian right wing, which was no less completely out-manœuvred and overwhelmed at Koeniggratz, and he will form conclusions to the last degree unfavourable to the army of the Second Empire.

We have spoken of the tactics of infantry, for our subject has led us naturally beyond the narrow ground of drill. But the word tactics undoubtedly is more fitly applied to the higher combination of three arms in the field of battle. Infantry tactics, scientifically considered, are almost an abstraction; so dependent are the infantry for their full effect on the operation of the other arms. If the superiority in the war of 1866 was due in great part to the direct and moral effects of the breech-loader, which made the generals instinctively look for success upon the troops that used it, and brought the action of the most important arm into constant pre-eminence, this was certainly not the case in the war which has just closed. If we may trust German testimony, there is one point on which there can be no dispute, and that is that the favourite weapon of Prussia found more than its match—viewed simply as a means of quick and far-ranging fire—in the chassepôt with which the enemy was armed. That this disadvantage was more than counterbalanced in action by the combined mobility and steadiness of the German infantry, has been already shown. But there is a striking contrast between the battles of 1866 and those of 1870 as to the proportion of the work done by infantry. It is a mistake indeed to suppose, as some have done, that the latter were in any real sense actions of artillery. The details of Forbach, Woerth, and Gravelotte alike show that it was the advance of whole divisions of infantry on important points in the enemy's position which decided the fate of the day. The artillery of the Germans was in quality somewhat better than the French, as Colonel Stoffel (whose reports to the French government read in the light of recent events like a prophecy) stated distinctly beforehand. Their batteries, however, were not more numerous than those of the French in proportion to the numbers engaged; and it is a delusion to fancy that a small difference of calibre and range, or even the efficiency of the percussion fuze, ever varying according to the circumstances of its use, could possibly make a decisive difference like that of the needle-gun in 1866. The Prussian artillery recently employed was in great part the same which, as against the Austrians four years before, had been generally considered a failure. The real difference has been in its proper tactical application. And here the 'Retrospect' did hardly less service to a special arm than Prince Frederic Charles's pamphlet seven years before had done to the Prussian army at large. Although not belonging to this branch, the gifted author fully recognised its immense influence in modern warfare, and unhesitatingly wrote in 1867: 'In the next war that side will obtain the absolute preponderance in tactics which knows best how to use its artillery, and does not put off this practice till war commences; in short, the side whose artillery has had the best tactical training.' 'In future,' he elsewhere adds, with more justice than in the too theoretical judgment on columns in his subsequent es-

say, 'it will be only possible for infantry to storm a position when aided by a powerful artillery.' He then goes on to show in brilliant language, though hardly in sufficient detail for anyone but an educated soldier to follow him, that it is not at all necessary, in these days of long-ranging field-guns, to crowd the centre with a mass of batteries, which would be impeded by, and would themselves impede the action of the attacking columns of, their infantry. They may be dispersed far along the flanks with this object. They should learn to act independently of the infantry, and never be forced to rely for protection on a heavy escort, which would prevent their getting up quickly to the required points of the front line. He wrote more wisely then than when three years later he condemned, being just then disheartened by some blunders personally witnessed, the useless unreality of the Prussian peace manœuvres; for it was in such practices that their artillery—unconscious, it may be, what master-mind they were following—worked out his theories into practice.

A study of the three battles so often before mentioned, and of the desperate combat at Mars-la-Tour on the 16th of August, will show us the finished lesson. The most striking feature in these actions is the bold and ready way in which the German artillery was brought to bear on the decisive points. Thus, when Kameke's infantry had all been launched forward at the Spicheren heights, their attack was covered by the whole of the artillery of the division planted on the Galgenberg from which the French had retired before the attack. They covered the right brigade as it clung to the crest so boldly won. And long before the reinforcements came up on the left of Francois' sheltered regiments, which decided the fight for the plateau, Kameke's guns had been strengthened by batteries from Goeben's corps, hurried up by that general, and had beaten off the opposing artillery of Frossard's centre. So also at Woerth, General Kirchbach concentrated the fire of 84 guns of the Vth corps against the French position about the village which gave its name to the battle, and kept them constantly served from 10 to 11 A. M. The advance of the infantry followed on this occasion the concentrated fire which had prepared the way for it: it was made, as before stated, in masses of battalion columns, covered by a large show of skirmishers, and the French front line at once gave way and fell back on the villages of Froschweiler and Elsasshausen, from which it had advanced. These were not carried until the XIth corps combined somewhat later in a decisive and overwhelming attack, the artillery of the nearest division of this corps uniting with that of Kirchbach in opening the way for the infantry. Lartigue's guns, which had been advanced to prevent this attack, were beaten off by the superior force thus brought against them before it was commenced. So rapidly did the batteries follow up and support the onslaught of their infantry on the villages, that it is asserted that when the desperate counter-attack was made on the Germans, as they passed beyond the shelter of these, by Michel's cuirassiers, the fire which almost annihilated the two unfortunate regiments of armed horsemen came partly from the artillery firing at easy range.

Passing from the 6th August onward to the events before Metz, the mind rests naturally on the murderous fight of Mars-la-Tour, which proved so fatal to the French hopes of retreat from the Moselle. We ask how it came about that the IIIrd corps of Alvensleben, fighting single-handed in the first part of the battle against Frossard and Canrobert, was not utterly crushed when Lebœuf, who had been marching along the Etin road, north of that on which the combatants were, turned suddenly southward, true to the old Napoleonic principle, *marcher au canon*, at the noise of the engagement, and appeared on the German flank: and the reason is thus to be given. The Xth corps was being hurried up by Prince Charles's orders to Alvensleben's support. It marched, however, that day from Pont-à-Mousson, and its leading division could not possibly be on the ground before 4 P. M. But the reserve artillery was advanced independently at a trot, and pressing, with much energetic exertion, past the columns, got forward to the scene of action just in time to take up ground a little north of the road between Mars-la-Tour and Vionville, towards which Lebœuf advanced. So bold was their action, and so formidable the show they made, that Lebœuf's advanced troops were brought to a standstill, and time afforded for the leading brigade of the same corps, under General Wedell, to come up and prevent the German left from being altogether turned. This time and the courage of the German horse, which arrived soon after, saved the day from ending against the Prince.

Perhaps a more remarkable instance of the use of artillery even than this, occurred two days later, at the grander and more decisive action of Gravelotte. We may assume that the French position is generally known in its larger features, and will here only say that St. Privat, the extreme right and the narrowest point of the plateau,

owed its strength* not to any such steep ascent as that of the Spicheren heights, but to the fact, which all who have studied the subject of artillery will thoroughly appreciate, that from the hill on which the village stood there was a long steady unbroken slope downwards of over a mile, up which attacking troops must advance without a patch of cover, exposed to the worst effects of modern arms. Ladmirault's corps held the hill, supported to its left and rear by Canrobert's; and their guns were carefully posted. On their side the Germans prepared to attack with the IXth, Guard, and XIIth (or Saxon) corps. But the latter had a very long march to make before they could gain their destined post on the north flank of Bazaine, quite beyond the hill; and the Guards, who were also marching in a curve to attack from the west in Ladmirault's front, had much further to go than Manstein's IXth, which came direct to its appointed post, south-west of Ladmirault. No time was lost by this difference, however; for Manstein understood the importance of his task, and upon arriving on his ground proceeded to develope his attack in force, and especially to engage the French guns. These were not slack in replying, and were so well handled that before the Guards got fairly into action on his left, fifteen of his pieces were dismounted or made unserviceable. But their work had been so far done that the French batteries about St. Privat were no longer able to oppose with any hope of equality the eighty-four cannon which Prince Hohenlohe, Chief of the Artillery Guard, ranged against them. So markedly did they suffer from the fire of these that Prince Augustus of Wirtemberg, Commander of the Guard corps, determined to throw forward his infantry without waiting for the co-operation of the Saxons. This proved, however, too bold an enterprise even for the choicest troops of the first army of the world. The Guards recoiled before the withering fire of the chassepôt and the still unsubdued though damaged batteries with which Ladmirault held his position; and thus another pause in the action took place. Then seeing what the crisis meant, General Von Moltke sent to the Prince's aid the reserve artillery of the Xth corps, which formed part of the second line; and whilst these added to Hohenlohe's poured a storm of shell on all the west front of the French right, the Saxons, just before dark, opened the fire of their batteries from the north, and prepared to advance in support of the fresh attack of the Guards which was now ordered. The French artillerymen, already completely outnumbered by the enemy's superiority, were now growing short of ammunition; and a rumour of this fatal truth spreading, Ladmirault's men began to retreat along the plateau, without attempting to close with the enemy, and Canrobert's with them. It was then growing dark, and although Bazaine ordered a counter-advance to regain the position, it was impossible to execute it. Von Moltke, seeing the fight secured on that side, had just before this thrown a mass of reserves on the French left, and carried the village of Gravelotte, though the attempt to advance beyond it failed, and its repulse is said to have caused a dangerous panic. The battle, however, was completely won which in the end decided Bazaine's fate. It was won partly owing, it is true, to the superior numbers which enabled the Germans to turn their enemy's open flank with a whole corps; but partly beyond question to the ready skill with which their artillery had performed their mission, and even at the risk of lost guns prepared the way for the success of the infantry. Nor would this account be complete without stating that as the French retreated, and the IXth corps, following the movement, lodged itself on the broken top of the plateau south of St. Privat, the movements of the infantry were made in the light columns so favourable for rapid action, and were supported at every point by batteries or sections of artillery dashing on between them, and co-operating, but never interfering with the action of the more decisive arm, which is still the mainstay of battle.

The events of Sedan have been often appealed to as a striking instance of the increasing power of artillery for decisive action; and in truth the ideal battle of cannon was never so nearly approached as on that day so fatal to France, which closed in the unconditional surrender of her Sovereign and his army. It is beyond all doubt that the German batteries on this occasion outstripped in their eagerness all the ordinary rules of caution, left escorts and columns alike behind them, flew with lightninglike speed from one point of vantage to another, and actually turned and cut off, unsupported, the retreating masses of French infantry. But merely to narrate such facts is sufficient, if well weighed, to refute the theory that some have sought to found upon them. Considering them, we are more than ever reminded of the force of Napoleon's profound saying—a saying the truth of which his own early campaigns furnish the

* We owe this description to the kindness of a distinguished officer of engineers who has been recently visiting these sites on a professional mission from the War Office.

most memorable examples—that 'in war the moral force is to the physical as three to one.' The explanation of the singular events of the 1st of September is to be found in those which had gone before: in the marchings and counter-marchings on the way from Rheims, which (as one of MacMahon's staff has since described them in writing from his captivity to an English friend) 'would make a most singular figure if one should draw them upon the map:' in the shameful surprise of De Failly's corps, caught encamped without outposts in the act of cooking near Beaumont on the 30th August: in the hurried retreat which succeeded, many of the Frenchmen being even without their arms, his regiments were forced almost at a run mile after mile, until evening closed in upon such a mob of fugitives that one of the division generals emphatically said that he had not any two of his battalions left together: in the want of resolution which made the army, as it concentrated in the fatal hollow round Sedan, with no retreat open save through neutral territory, feel that it was hopelessly entrapped by an enemy as superior in numbers as in knowledge of his craft. All these things, and the general indecision which seems to have infected all around the Emperor, made the ill-discipline already so prevalent in MacMahon's force become thorough demoralisation. It was because he divined this state of things, that very late on the 31st Von Moltke changed his first design of allowing a rest to his concentrated armies the next day, and determined to hurry on the battle before his adversaries should have had breathing time. The impulse was just that which pervaded our own chiefs when in crushing the Mutiny twelve years since, they gave their officers the simple and effective order, 'Keep the enemy constantly moving.'

The event fully justified what might have otherwise seemed like undue want of caution, for Moltke's reserves were not up when the attack began next day. But as soon as the German batteries began fairly to play; as soon as it was seen that their percussion shells were being used under the most favourable of conditions—being fired downwards, so that each exploded with full effect among the enemy below, instead of passing over him harmless, as they had often done when fired upwards at the hill of Gravelotte—the panic of the French began. It was eagerly taken advantage of by the excited assailants, who felt their complete superiority. Their artillery rushed on recklessly by individual batteries, as has been described, and the shameful spectacle was witnessed of thousands of men in more places than one throwing down their arms on seeing a few guns approach their flank, not because they were in any real sense cut off, but because their heart for fighting had already left them, and they were ready to purchase immediate safety on any condition. There has been in this whole war no single fact that to a military critic so damages the French reputation, as the capture by the Germans of full 20,000 unwounded prisoners in the mere act of pressing the French back to their last position close to the works of Sedan, in which they finally surrendered. But this story rightly viewed affords no basis on which to build any special theory of tactics. It serves only as a new illustration that any mode of fighting will tell against troops that are ready to run away, and that the more bold it is the more complete will the success probably be. It proves, in short, how well Napoleon knew human nature in the soldier—though not better, perhaps, than the Prussian Bülow, who has emphatically declared that in all armies the proportion of men who are constitutionally above the dread of death is very small; of those whom a sense of duty nerves against it much larger; but that in the mass the natural sentiment of fear would prevail but for the countercheck of the fear of disgrace and punishment.

There will be some ready, we doubt not, to deny that the wonderful advance in tactical efficiency made between 1866 and 1870 by the Prussian batteries was due in any degree to the advice of an unknown captain of infantry. They will say that others had noticed the defects which the 'Retrospect' so freely brought to light, and that others had the will and power to remedy them. Anonymous criticism is never popular, and its influence, though often powerfully felt, is seldom plainly acknowledged. Yet we may at least assert that Captain May was the first to put the thoughts of many into a distinct shape, and to clothe the ideas of the necessary reforms in language so keen and brilliant as to attract the attention of all Europe. Nowhere was the 'Retrospect' more commented on than at Paris. Its criticisms formed the groundwork of several of the *Conférences Régimentaires*, the well-known course of professional lectures by which Marshal Niel sought to raise the knowledge and zeal of the French staff. But the blind belief of even the better-instructed officers in the traditions of their service hardened them against the conviction that the Prussians were learning to surpass them in those very advantages of quickness and dash hitherto held to be special characteristics of French soldiers. The descriptions in the 'Retrospect' of the

loose order by which the Bohemian actions had been won, were quoted mainly to prove that the new forms of Prussian infantry manœuvring had passed the bounds of reason, and become merely the efforts of a mob of well-armed individuals—as indeed, without Prussian discipline, would have been almost certainly true of them. The defects shown in the handling of the batteries were adverted to chiefly to show that the superiority in that favourite arm of the French would still hold with the successors of those who had conquered under the eye of the great Corsican artillerist. As to the cavalry, the sharp comments of the 'Retrospect' on its failure in Bohemia were quoted by one party to prove that the day for that arm had gone for ever, by another to show that the slow and methodical Prussians could never hope to gain the dash given by the *furia Francese*, for which the cavaliers of France had for centuries been famous.

Of all the arms of the Prussians, none probably has owed more to the anonymous critic than that of which he wrote, 'if our cavalry should think that their prowess in the campaign of 1866 was the highest they are capable of, they may prepare to sing their own funeral dirge.' After commencing his criticisms thus severely, he pointed out that the masses of reserve cavalry should have been moving at the head of the army from the first. 'To mass cavalry together out of the fight is no security for its combined action in the fight.' Cavalry so massed in 1866 did not, he declares, go beyond the limits of the service proper to the lesser detachments that worked with the divisions. They did not carry out the reconnaissances which were urgently needed when the Prussian armies, entering Bohemia from opposite points, drew near to each other and to the enemy concentrated at Koeniggratz. Nor when Benedek was driven from his chosen position before that fortress, did they follow up his traces, and observe or embarrass his movements. In short, throughout the struggle with the Austrian army, they came short of their chief duties. Nevertheless, he added, the conduct of the divisional cavalry showed on several occasions that the proper material was there. But for great efforts on the field of battle, such as were done in the days of the great Frederick, the spirit of a Seidlitz must be present. It need not be supposed that its opportunity has gone from this arm; 'so long as rapidity, boldness, and dash are active agents in war, cavalry will retain its importance.' A lighter cavalry is required, however, in these days of far-reaching weapons. The grand rule for its use is that the proper place of mounted soldiers should be considerably in advance of the movements of the column, where they should be distributed to gain information, keep up communication with the neighbouring corps, and give cohesion and security to the whole army.

We have been thus particular in following these remarks for a reason that will be obvious to many of our readers. The part played by the German cavalry in 1870 has been exactly the advice of the 'Retrospect' translated into action. With one exception, the want of this arm before and after the battles of Woerth and Forbach, the principles above laid down were so completely followed out that the very words of the pamphleteer might have been printed as the text-book for the officers of the favourite old Prussian arm. Who does not know how the advance of the Crown Prince through the Vosges into Lorraine was covered and facilitated by the restless activity of his two cavalry reserve divisons? Who has not heard how the still more rapid movements of the First and Second Armies from Saarbrueck to the Meuse were screened by those attached to them? Napoleon III. has told us, and a dozen minor pamphleteers of the Army of the Rhine confirm his narrative, that a great part of the fatal indecision which kept Bazaine's force loitering near Metz when it should have been far on its way westward, arose from the absolute ignorance caused by the bold Uhlans* who held every cross-road east and south of the fated fortress, and were feeling the passages of the Moselle before the Marshal and his master had made up their minds to quit it. Cavalry broke in first upon Frossard's flank, as his corps vainly straggled along the way to Verdun in the too long deferred attempt to escape from the danger of being cut off from MacMahon and from Paris. Cavalry cleared the difficult way through the Ardennes for the Crown Prince when his army turned northward from its movement on Chalons at the news of MacMahon's fatal flank march. Cavalry brought him word of the dispersed and straggling state of the French columns which were soon afterwards surprised so shamefully, as before stated, by his Bavarians at Beaumont on the 30th August. The Prince of Saxony's cavalry not only connected him with the same move-

* It may be necessary to warn our readers that the Uhlan regiments formed only a moderate portion of the six cavalry divisions which led the advance of the armies. The generic name has been given to the whole by a mere trick or blunder of the French press, which has misled other writers who should have been better informed or more careful.

ment, and enabled him to bring his army up along the left bank of the Meuse, into the same action, within two hours of the other; but being in part detached to guard the other bank of the river, they headed off and checked, aided only by their horse artillery, the march of Lebrun towards Montmedy; and, following up his retreat on Sedan, cut off his stores and captured his trains from the hands of their infantry escorts. With such boldness was this done that elaborate reports from the Belgium frontier placed the mass of the Germans there already, when not a footsoldier of the combined armies had as yet crossed the river! The rest of the campaign is only less a record of the services of this arm, because less severe work remained for it to do; but its ubiquitous activity in the invaded districts of France has become a European proverb.

Nor were the deeds of a Seidlitz altogether absent on the field of battle, though the mass of sabres used was on no one occasion equal to the traditional twenty-five squadrons with which he and Ziethen were wont to reap the harvest of their Great King's victorious tactics.

The hard-fought action of Mars-la-Tour, to which we have already referred in speaking of artillery, affords a more fruitful study than any other battle of the war, and is especially interesting in its relation to the difficult subjects of the use of cavalry in open field. For although Alvensleben's left was for a while covered, as before related, by the reserve artillery and Wedell's brigade, sent on from the Xth corps, the French of Lebœuf, discovering these not to be supported, pressed on again about 5 P.M., and forced them back, threatening once more to turn the German line. Prince Frederic Charles had here no reserve in hand but horse; and these before this crisis of the battle had been sorely diminished by a deed of arms only excelled in daring by the Balaclava charge. For during the earlier pressure of the French on Alvensleben's other flank, that general, finding his line sorely handled by a French battery which had just come up fresh from near Rezonville, and was enfilading his right, urged General Bredow, who was near him with half the Vth cavalry division, to do something for his relief, since no other support was near. At the word Bredow advanced from behind the wood that had screened him, and led his three regiments gallantly on against the guns. Despite a crushing volley which tore through their ranks, the Dragoons reached the battery before it could limber up, cut down the gunners at their pieces, and, wild with excitement, galloped on to charge a supporting body of infantry beyond; but turned about again shattered into a mere wreck by the withering fire of the chassepôt. They had done their first work, however, so effectually as to dismantle the battery which had threatened to drive Alvensleben from his position. Henceforth the sacrifice of our Light Brigade in the Balaclava valley may stand excused by the devotion which imitated its apparent rashness, and preserved the Verdun road to the Prussians in the hard fight of the 16th August.

Bredow, however, had in doing this so spent his brigade that Rheinbaben, his superior, could count upon but half his division when Lebœuf's final effort, before referred to, was made, supported by the cavalry of the Imperial Guard. Near Rheinbaben were two regiments of the Prussian Guard cavalry, the 1st and the 2nd Dragoons, which, forming the advance of their corps, had crossed the Moselle on the 15th, and had hurried on at the sound of the firing. Yet another sacrifice was necessary to save the German left, more devoted still than that upon the right had been. Rheinbaben, charging unhesitatingly against the hostile cavalry, drove them back, receiving a terrible fire of bullets from Lebœuf's infantry on his flank. But the Guard Dragoons had ridden straight against the more advanced of the French columns, cut down their skirmishers, and plunged at a gallop on the supports; and though they suffered fearfully, the 1st regiment mustering next day not one half its officers and scarcely two thirds of its men, yet their dauntless attack had checked the French for the time, and before Lebœuf again advanced, strong reinforcements had joined Prince Frederic Charles on his right, and enabled him to detach infantry to the threatened flank in sufficient force to maintain his position until darkness came on, leaving the road, the prize of the bloodiest action of the war, in German hands. The exhaustion of the cavalry in their efforts this day—efforts which decided the failure of Bazaine's attempt to march on Verdun—may account in part for the small share this arm displayed in the vaster, but far less hard-fought action of Gravelotte two days later. A single daring charge was made by a Uhlan regiment of the 1st cavalry division in support of the advance of Zastrow's VIIth corps just before dark beyond Gravelotte; but it led only to the bold horsemen being so severely handled by the fire of a body of French infantry reserve, that a hasty retreat ensued, producing a panic in the second line which, earlier in the day, might have considerably affected the German success. That the breech-loader, when held by steady hands

is more than a match for the charge of any cavalry, was proved here no less than against the desperate assault of Michel's Cuirassiers on the Vth corps at Woerth, when the gallant regiments that rode up to the muzzle of the needle-gun were swept away in absolute destruction. Yet the successful charge of the 1st Guard Dragoons seems to show that, under very special circumstances, a general may still be justified in using his horse for such a purpose. It is at the least certain from our study of the campaign of last year, that the 'Retrospect' is fully justified in its estimate of the signal importance which cavalry well handled will still on the whole maintain.

The war we are reviewing gives us no actual examples from which to follow out the well-known theory of Marmont that mounted infantry should play a striking part in the warfare of the future. It is well known that Count von Moltke has openly rejected the notion that European armies can profit by studying the lessons of the American Civil War, among which the foremost is that action of large bodies of mounted riflemen, which, under Kilpatrick, Sheridan, and Wilson, helped to decide the contest between South and North. On the other hand, we have before us the notorious fact that the German cavalry would have found their movements in the interior of France paralysed by the hostility of the armed bands which lurked in every covert, had they not fallen upon the device of assisting the action of each brigade by a detachment of riflemen attached to it for the special purpose of clearing the way of secret enemies. It would take us far beyond our limits were we to transcribe the details which lie before us on this subject. It is enough here to say that the clearing and occupation of the country south of Paris, which was accomplished soon after the investment had been formed, is shown in the official reports to have been effected mainly by the aid of the Bavarian riflemen who were employed with the IVth and VIth cavalry divisions; and to add that, when Manteuffel advanced from Metz after its fall to occupy the north of France with the First Army, his flank and front were kept clear by the 1st division under Groeben, who carried similar small parties of riflemen with each of his brigades, and used them constantly in his occupation of villages and other enclosed posts. Such infantry, however active, would of necessity have been a heavy clog upon the movements of the horse, but for the device which was repeatedly had recourse to of hurrying them forward in country carts or other wheeled carriages. But there are obvious objections to this plan, which in truth was merely a rude substitute, devised on the emergency, for a fitter means of treating a phase of the war for which the Germans were not prepared. Those who have seen how prompt their military administration has been to seize every desirable improvement, will not doubt that, had the events of 1870 been fully foreseen, the difficulty would have been provided for by some such expedient as raising bodies of mounted riflemen for the express purpose of clearing the way of advanced guards from lurking *Francs-tireurs*. If we are not greatly misinformed, there is the highest living authority—the authority of the most successful of the generals who have used this modified form of cavalry on a great scale—for an assertion that had the French early in this war trained up a mass of horsemen of the type of those that followed Sheridan, instead of devoting their whole means to the collection of masses of raw infantry and artillerymen, they might have so threatened the priceless line of railroad which fed the German host before Paris as to render a continued investment impossible. If this be an over-statement, few will doubt that at least such a body acting upon the communications of the Germans, would have done more to hinder the conquest of the country than tenfold their numbers sent on foot to be fresh food for the enemy's powder under Bourbaki, Chanzy, or Faidherbe.

We cannot pass from this consideration of the three chief arms of the Prussian service, and of the development of their combined action for which this war has been so remarkable, without a word on the fourth—the engineer service—which has had so conspicuous a share in many of the events of 1870–71. It is well known that the war of 1866 afforded no opportunity for testing the skill of the Prussian engineers in siege-works. But there is another side of their art in active warfare, connected with field operations, and to their conduct of this branch in Bohemia, a chapter of the 'Retrospect' devotes some of the severest criticisms of that famous essay. To those who have not studied the curious coincidences of thought and action which the same professional leanings develope among nations of very different habits, it may be well to learn that the very charges made against the military engineers in 1866 might have been written, in great part word for word, of our own. Very properly the critic dismisses the excuse made for his comrades of the scientific arm that, 'The rapid offensive movements of the campaign afforded neither time nor opportunity for their co-operation, which must be essentially defensive.' The

facts of almost every battle, as was sufficiently illustrated by details from those of Trautenau and Koeniggratz, disprove this notion, which rests on such mistaken ideas of engineers' duties in the field as caused a battalion of this branch on one occasion to be left behind as a baggage-guard. The reason of their frequent non-employment was not all their own fault, nor entirely that of the staff under which they served. But with them too often the soldier had been subordinated to the constructor. Moreover, they had lived so far aloof from the rest of the army that, when with it, their services were not appreciated, however willing they might have been to take their part. 'Yet an engineer will always be serviceable who is a good soldier, though he may be an indifferent architect—though his work may fail in an artistic point of view.' 'For,' it is added—a most valuable maxim for others than military engineers to note—'an indifferent construction at the right place is better than an artistic work in the wrong one.' To the end that this isolation and misdirection of a valuable arm should cease, the essayist adds that the chief engineer should be ever at the side of the commanding general, surveying the whole strategic and tactical position, and seizing every opportunity for the co-operation of his own branch of the service. In justice to our own army we may add, that this adoption of an engineer as one of the personal staff of a commander in the field, has been the recognised rule with us since the days of Wellington, and has been adopted in practice for each general of a division, who has invariably a special officer of engineers attached to him, a custom in which we have the advantage of the Prussians, who seem to have missed or not used this necessary link of connection between science and arms. Whilst pointing out the defective conduct of the Prussian Engineers in 1866, the 'Retrospect' speaks confidently of the future adoption of the remedies, prophesying that the next campaign would 'show this fourth arm acting in rivalry with the others.' Let us see how far we can trace the fulfilment of this bold prediction.

It is related that at Woerth, when Michel's desperate charge was made to recover the lost centre of MacMahon's line, the Prussian infantry were inclined to bend before the storm of cuirassier horsemen that approached them, and that the first steps to panic were checked by a bold lieutenant of engineers who, rallying his party, which were close to the line of skirmishers, opened a fire on the advancing enemy, which the rest of the brigade near him at once took up. But even if this be literally true, it does not speak of the professional value of the engineer as such. That is attested rather by the fact that the detachment of which this service was recorded had followed the advance of the infantry so closely as to be already at the village of Elsasshausen, just captured, preparing to make it tenable against any attempt to recover it. Thus, too, Gravelotte was taken by Zastrow's corps not long before dark on the 18th August; and though the French that night held their second position not far beyond, its recapture would have been a serious task next day, even had circumstances elsewhere favoured them; for the Prussian engineers were at work from early dawn, improving the hold of their troops upon the village by every resource their art affords. On the other hand, the strength of the French position, on which the first attacks of the Prussian army were that day shattered, is known to have been created mainly by the use of rifle-pits and light entrenchments copied from the American model. That these were not adopted at Woerth was due more to the carelessness of MacMahon's staff than to want of time, though there is no reason to believe that any mere temporary works could have enabled him to beat off the vastly larger army with which he so rashly engaged. How little such works avail unless placed in accordance with the strategical object in view, is well shown by the fact that the hill above Forbach was carefully strengthened by Frossard in this manner, only to be abandoned before the Prussians approached for the Spicheren heights, where the attack fell upon him without time being given for such preparations. How useless they are when the tactical purpose is not rightly studied, is illustrated by those which, under General Douay's directions, were thrown up on the hill above Floing the day before the battle of Sedan; for whilst this was being done, the Prussians were already preparing to turn the whole right wing of the French army so completely as to nullify this use of artificial precautions. This instance repeated the error of the Austrians in 1866, when the work at Chlum was left open and useless by Benedek's miscalculation of the direction from which the decisive attack upon his position would come.

There is another branch of field engineering of constant service in modern warfare, though little noticed in the English military text-books for want of practical experience of its use in our army. But in the Prussian service the very name of 'pioneers,' given to the engineer battalion of each army corps, points to the duty laid upon this arm of

clearing the way for the rest. Accordingly, each division has its separate company of engineers, which, following the prescription of the 'Tactical Instructions,' is, on the march, with the advance guard, so as to remove or bridge over obstacles that might delay the main body. The dexterity of this arm in improvising passages across streams, drew special notice from English observers during the peace manœuvres of last year. Nor was such field practice on their part thrown away. Enough has already reached us of the rapidity with which Prince Frederic Charles conducted his advance on Le Mans, over roads blocked up and broken up in fifty places, to show that the engineers were as prompt and ready at their work as the 'Retrospect' had prophesied. How important this work was strategically, appears plainly enough when we remember that it was the rapidity with which his columns moved independently forward, continually out-flanking the French at every turn, that forced the latter back on Le Mans in so disheartened a condition as to be incapable of holding the strongest position. Had military correspondents accompanied the armies that crushed MacMahon, we should have heard similar details of the rapid march of the Prince of Saxony's army from the Moselle westward across the Meuse, and of the Crown Prince's through the Ardennes. As it is, we find the pontoons of the latter, which formed part of his field engineer train, so well forward after the battle of Beaumont, as to be brought to the Meuse at Donchéry, far below Sedan, on the day following, thus preparing the wide-sweeping movement by which the Prince turned Douay's position, and hemmed the French completely in from all hope of escape.

When we search the records of the war for a study of those better known duties of the engineer which make this arm so prominent at every siege, we find less to note than many readers will expect. Sieges proper there have been but three in 1870–71, even if we include that of Paris, which, though partaking of this character for the last few weeks, can hardly be said to have more than commenced when the city was forced to capitulate for lack of bread. Belfort, strong in the natural abrupt elevation of its citadel, was found, like all places so favoured, very difficult of approach by regular siege; and after three months spent in capturing some of the outworks, it was surrendered as a diplomatic concession. Strasburg remains, the single example offered us by recent wars of the siege of a fortress in due form, carried on until the breach was nearly practicable, and then surrendered. There is, however, here no lesson of importance to be gleaned from either side. The attack was methodical in the extreme, following without important variations the traditions handed down from the era of Vauban and Cohorn. The defence was fairly enough conducted until the real danger of an assault had to be faced, when the governor found it hopeless to trust any longer to his motley garrison, refugees in great part from the fatal field of Woerth, and so gave up the place at once. The facts that he had still a very wide ditch before the breach, which the Germans would have had to cross by artificial means to the assault; that he had made none of those efforts to retrench or isolate the threatened part by fresh works within, for which French engineers were formerly renowned; and that the citadel had not been touched; combine to strip the defence of Strasburg of the false halo cast over it by misplaced encomiums, and leave the siege that won the great fortress of Alsace back to Germany to be regarded as one of the most commonplace operations of the kind on record.

Not so with the easier capture of Toul, and of the numerous other fortresses that fell in like manner in the north and north-east of France. Here the German engineers showed that they had thoroughly grasped one of the new problems of military science—that which involves the value of the old second-class town-fortress of the Vauban age. In a dozen instances such places have been clearly proved to be worthless against modern siege guns, which need no regular approaches to aid their action, since their fire from batteries almost hidden from those of the fortress at distances varying from 1,500 to 4,000 yards, did such damage to the buildings as invariably to compel surrender within a few hours after the bombardment opened. The fate of Toul, and of Thionville and her sister guardians of the old French frontier, shows beyond doubt that fortifications proper are to be held in future as wasted when the space within them is filled up with ordinary buildings. Verdun, Schlestatt, and Neu Brisach gave the Germans rather more trouble, owing to local circumstances; but these all, like the rest, fell to bombardment rather than to siege, and show that the art of war has reached an altogether new phase since the days when Vauban and his followers planned the defence of France. Modern artillery has made the notions of their time as to the fortification of towns an anachronism. On the other hand, the old system, which dates from even earlier times, of lines of circumvallation thrown up to invest and starve armies that shelter themselves under fortresses which cannot feed them, has been revived and suc-

ceeded against Metz and Paris, as it was revived and succeeded against Vicksburg seven years before.

We must not pass from this branch of our subject without pointing out that prophecies made some time since of the growing importance of the railroad and telegraph in time of war, have been abundantly justified by late events. No one can really understand anything of the siege of Paris who does not see clearly that the Germans were absolutely dependent for success upon the aid afforded their means of supply by the railroad from Nancy. But this line, entering France at two different points by sections which converge near that city, had been carried under the guns of the two great frontier fortresses, Strasburg and Metz. As neither of these was mastered when the armies first approached Paris, it became of vital importance to turn the railroad round one of them at least; and this was effected by the skill and energy of the Railway Corps, originally brought into the field solely with a view to repairing damaged lines for present use, and suddenly required to perform this most necessary duty. It was determined to carry a completely new line, twenty-two miles in length, from Remilly to Pont-à-Mousson, so as to avoid Metz altogether, by uniting the railway east of the city to the same railway to its south. There were no fit instruments for levelling; good tools were scarce; and the workmen were chiefly coalminers hurried up from Saarbrueck; whilst the rails and sleepers had to be brought up in country carts, the railroad behind being blocked by military trains. The exertions of the corps, however, overcame every obstacle, and the work, begun on the 22nd August, was completed on the 23rd September, and the army before the capital rendered thenceforward independent of French supplies. Lesser works of the same description were later employed at points nearer Paris, where the tunnels of the railroad had been effectually destroyed. How necessary these operations were could not be fully understood, did we not know from official Berlin reports that the separate line of supply which the German staff had devised by way of Chaumont for their operations on the Loire, and which was elaborately described in our journals as perfect in its action, broke down altogether from the destruction of the bridges by the French. The army of Prince Frederic Charles, when concentrated before Orleans, would have been actually starved or forced to retire, but that for some weeks it was allowed to share the vast supplies brought to the depôt at Lagny in the vicinity of Paris for that of the Crown Prince. In short, had the single railroad not brought even more up than the latter needed, the vital operations by which D'Aurelle de Paladines was restrained from his attempts to relieve Paris must have been abandoned for want of provisions, since the preceding operations of October and November had swept the district to be held of its surplus produce.

It is hardly necessary to dilate upon the important service which the Germans have drawn from their telegraphic lines during the war. If a study of the investment of Paris, or of that of Metz, shows no special novelty in the way of counter-defensive works, at least it puts it beyond all doubt that disciplined and active troops have an enormous advantage for holding such lines in the introduction of the electric-telegraph. It is not too much to assert that before Metz in particular the safety of the investment was due to this aid; since Bazaine's conduct, poor as it seems to have been, would have been too disgraceful for belief in not attempting more seriously to break through, had he not known that his least movement was telegraphed at once to the headquarters of the enemy, and its consequences provided for on the instant. The combination which drove MacMahon so helplessly on Sedan, and that by which Manteuffel united without an hour's loss of time, two separate corps, the IInd and VIIth, from opposite sides of France, to crush Bourbaki last January, are beyond question specially due to this new mode of communication. No large army can expect in future to be efficiently worked that does not provide for its full use to within a safe distance of the front. On the other hand, the experience of 1870, like that of 1866, confirms the belief that in close tactical operations neither the use of telegraphy, nor probably that of visual signalling, can supersede the services of a well-mounted and devoted staff.

From questions of tactical and mechanical improvements we pass naturally here to considerations of that personal administration which answers in our army to the brains and nervous system of the human body. We have long since given reasons for our opinion* that the modern French system which, in direct opposition to the opinion of Napoleon, creates a special staff corps, selected originally by a single high theoretical examination, and separated thenceforward from the whole regimental life of the army which it is to preside over, is faulty in its basis. Late events have proved how evil it may become in its practical working. The French staff have failed doubly; in their ignorance of the gross defects of the regimental elements on which they had to de-

* Edinb. Review, Jan. 1866.

pend for action; and in their forgetfulness of the necessity of maintaining in time of peace that active study of their duties which should fit them for war. We are more than ever thankful that this mode of officering the staff, so often pressed upon ourselves by well-intentioned writers, has been rejected in our service for one not wholly dissimilar to that which has been tried with such remarkable success by the Germans. 'The Prussian staff,' says Baron Stoffel, in a section of his *Reports* which will especially repay careful perusal, 'is the first in Europe. The French cannot be compared with it.' A brief survey of the system upon which this superiority is founded, which we find asserted in such broad terms of Germans by a Frenchman, is all that our space will allow us.

The staff of the Prussian army, though not nominally chosen by competition, is in reality created by the highest form of competitive examination, that which is founded on probation in the actual duties to be performed, and that probation carried on under strict observation, with proper penalties and rewards. As in France, the original principle is taken for granted that the staff should consist of the most intelligent and educated officers in the army. A single extract from the *Reports* will suffice to show by what an opposite system to that of France this desirable object has been worked out:—

'It was resolved to select their staff officers for all branches of the service, and to grant them important privileges with respect to promotion, but at the same time to retain the right of dismissing them to their former positions at any moment if they did not display skill and eagerness to learn. The consequence of this arrangement is, of course, that the General Staff is furnished only with young, ambitious, prudent, and diligent officers; ambitious because they are desirous of speedy promotion, and diligent and prudent because they know that, if they do not make the required progress in their studies, they will be dismissed to their regiments.

'In order to estimate the advantages offered to the officers of the Staff, it must be remembered that promotion in the Prussian army goes, as a rule, by seniority. The king, it is true, reserves to himself the right of promoting an officer to a higher rank at his own good pleasure, but this prerogative is only rarely exercised; in fact, not more than one thirtieth or one fortieth of the officers owe their rank to such an intervention. The officers of the General Staff have an advantage of from seven to eight years over those of the rest of the army.'

In detail the system is worked out as follows:—Any subaltern of three years' service may offer himself for the entrance examination of the War Academy at Berlin, which is chiefly one of theory, yet very varied. Of 120 that go up annually, about forty of the best are admitted, and undergo a three years' course of general training, the last period being specially devoted to reconnaissances and other kindred branches of military surveying in some broken and varied district. This course being over, they are all remanded indiscriminately to their regiments; and about a dozen of those most favourably reported on are, in the course of the following year, sent from these to serve in some regiment of another arm, in order that an independent account of their zeal, good character, and versatility may be obtained from a new commanding officer, watching their performance of new duties. From a combination of the reports, that of the Academy, the original regiment, and the new, those that stand highest are selected by the Chief of Staff—a post held for the last seven years by the renowned Von Moltke himself—and are brought once more to Berlin to be further instructed under his personal direction, and taught to develope those specialities on which the Prussians lay so much stress, in the six subdivisions of his office. This done they are again remanded, without receiving any special reward, to their regiments: and then, those finally selected are soon afterwards promoted to the rank of captain, and become members of the regular staff. After a moderate period of employment, they are sent to regimental service once more (though not to their old regiment, where they would take precedence of their former seniors), for at least a year before receiving the rank of major. This once attained, their promotion is no longer quicker than in the line; but before any further step can be gained, a staff-officer is invariably sent to do regimental duty, as a sort of probation, in that rank to which he is approaching, so as never to lose the habit of personal command, nor to settle into a mere official functionary.

The treble system of weeding the original applicants thus pursued reduces the number that pass under the final personal charge of Count Von Moltke to less than one-tenth of the ambitious youths who send up their names for the War Academy. But as this proportion would not suffice for the whole demands of the service, especially in time of war, commanding officers are allowed to recommend any very specially qualified officers for the direct final probation at Berlin, which, if passed successfully, brings them at once upon the staff, though probably to be employed in less important duties than those of the regular candidates. The certainty of rejection, and of remand to the ridicule of

their regiment, that hangs over those 'recommended' candidates that prove to be far from qualified, serves as a wholesome check on those who are not actually gifted for the duties they would aspire to. Of course such a system requires to be honestly worked and severely watched. But when so worked and watched, how superior it is to that which in France passes an officer into the staff corps at the age of twenty-one by a purely theoretical examination, and leaves his appointment henceforward secure for life, regardless of his conduct or exertions! 'The French,' says Baron Stoffel, 'in time of war confide to officers who are often incompetent or indifferent to the service those duties which require the highest activity and judgment, and the widest knowledge. In France we find staff officers who cannot gallop a couple of miles. In Prussia, anyone unfit for service on horseback would be at once got rid of.' To such differences as these in the respective systems may be traced much of that vast superiority in what may be termed the mechanism of strategy, which has formed the subject of comment ever since the Prussians took the field last August, armed with every means that foresight and diligence could provide for carrying their columns swiftly and certainly onwards from point to point. Without such mechanical aid, the conceptions of strategy would be vague and uncertain. With it thus perfected, they have seemed as it were an instinct which left no turn of events unprovided for.

Passing onwards in our review, it is not our intention to enlarge particularly upon the details of that marvellous Organisation, to which the Prussians, above all other means, have owed the successes which in seven years have elevated their kingdom from a second-rate position among the greater States to be acknowledged as the most formidable military power ever produced since the days of Rome. In the pages of this Review we were the first to make readers in this country acquainted with its large features,* and since interest was first turned by us to the subject after the battle of Koeniggratz, a hundred writers have in their various ways familiarised the public with its details. In his recently published work, Lieutenant Gerald Talbot, himself an officer of a distinguished Prussian regiment, has elaborately explained the subject of the district organisation by which all North Germany became, when a single telegraphic message was flashed throughout it, one vast base of operations against France. Collected separately by Army Corps and sent forward from each Corps district by special detachments, a fortnight was found sufficient to place the whole field army of the Bund (except one division, the 22nd, purposely retained) on the frontier of attack. Five main railroads proved that they gave sufficient means for transporting to the required point the 550,000 men that constituted the whole force of a powerful monarchy of twenty millions of souls. But this celerity of transport would have been wasted but for the extraordinary completeness of preparation, which the decentralisation first begun in the province for its Corps, and carried down to each separate brigade, had prepared to make effectual. The secret of this grand success in the art of preparation lies in the facts clearly given by Lieutenant Talbot, that 'the equipments and materials necessary to put the army on a war footing, down to the smallest detail, lie ready in the depôts of the military train and in the armouries of the regiments.' The number of horses to be added, like those of the reserve men, is known beforehand to the authorities of each district. The officers are nominated in advance to their several expected positions. No instructions therefore are necessary from the authorities when the time for mobilisation arrives; 'each sub-authority knowing exactly how much is required of him, and what is to be done.'

Those who would learn how entirely these conditions were absent in France, and how utterly her attempts to bring into first line even one-half the number of men collected by her adversary, may read the whole secret for themselves in the well-known Apology of the Imperial captive, entitled 'The Causes which brought about the Capitulation of Sedan,' without a reference to which this subject would be incomplete.

As a scientific analysis of the essential differences of the two systems, and especially of the weaknesses of the French Administration, no work has yet appeared equal in completeness to the first part of Colonel Borbstaedt's 'History of the War,' which gives promise of great value for the narrative that is to follow. This author opportunely reminds us of an anonymous pamphlet which appeared at Paris not many months before the war, entitled 'L'Administration de l'Armée Française,' commonly ascribed to General Trochu (though he has since denied its authorship), and written expressly to expose the administrative shortcomings of the Intendance in the Crimea and in Italy, as regards the three important matters of the supply of military stores, provisions, and hospital necessaries.

We are aware that we are treading here on delicate ground. Unhappily this great

* Edin. Rev. Oct. 1866.

question of army administration, as applied to ourselves, has been made absolutely one of persons, instead of being discussed purely on principles. There are those high in office who believe their credit pledged to the carrying out their original design of a vast civil department prevading and checking the whole military fabric. There are others who are deeply sensible of the certain and ruinous evil of the dual management of a machine which should be the embodiment of unity, and so are ready to use any means to overthrow that double form of administration—the outcome of divisions between civil and military branches of the War Office—which has suddenly been laid upon our army to its sore discontent. So hot has been this controversy that we almost fear to be counted as a partisan, when simply pointing to the following extract from Colonel Borbstaedt's work; for we doubt whether some will not think what we quote from a well-known German writer on the subject of French administration to be a covert satire on what is done, or said to be done amongst ourselves:—

'The chief mistake indicated,' says Colonel Borbstaedt, in using the evidence of the Paris pamphlet to support his criticisms, 'was that the Intendance was too omnipotent. It knew no control but its own. It was loaded to that degree with various business (as the settlement of accounts, control, the details of administration, the whole arrangement of sanitary matters, and the supervision of the trains of the army) that it became literally impossible in time of war that it should suffice for all these duties. As a principle, the higher posts of the Intendance are in France occupied by officers from the regular service; and as there is not the least pains taken beforehand for their training as officials of the Intendance, there must come to pass in the event of war the very evil condition, that the additional posts created in the department would have to be filled by officers suddenly appointed, without the least knowledge of administrative work. The commanders of the army have no voice in, and no responsiblity for, the Intendance, which is so powerful as against them, that its suddenly issued notices often clash with every kind of proper military arrangement.

'In the Prussian administration, on the other hand, every commander, down to the captain of a company, is entrusted with the management of, and responsibility for, the administration of his allotted force of men. The battalions and regiments have associated with them individually paymasters, with the rank of officers, to co-operate in the administration; the divisions and army corps have their own, with grades corresponding to their importance, who watch over the paymasters below them. These are doubly responsible, to the general regulations of the service, and to the orders of their immediate commanders. The Ministry of War has reserved to itself only special portions of the higher part of the administration, with the general control of the whole. Its bureaux provide separately for the general supervision of the payments, the rationing, the transport, and clothing of the army. Another division takes the invalids, and another the remounts. The general system provides in peace such a constitution that in war the apparatus is all ready for immediate action. The principle of decentralising as much as possible is carried down to the clothing and outfitting of each particular battalion as far as possible by its own workmen, furnished with the necessary help. In France, all such matters are taken entire charge of by the Intendance, and the work concentrated in large factories at Paris.'

We have quoted this passage, both as throwing light on the history of the late war, and as suggesting a lesson to ourselves; for in the light of recent events comments upon the opposing systems seem to be superfluous. The rival theories have met in the field, and the one has shown itself in practice sound and workmanlike, the other, under a sudden and a great strain, has been acknowledged by its late imperial master to be a miserable failure.

The reader who has followed us thus far in our review will have found the Prussians of 1870 in advance of their ancient foes alike in the mere drill of their infantry, in the tactical training of their various arms, in the constitution of their staff, in general organisation, and finally in administration. These, or even a part of these advantages, might well account for the victories that awed the world in the campaign of last autumn. But our task would be incomplete did we not allude to that highest branch of military science which is founded on principles that have never varied since Alexander, and Hannibal, and Cæsar won their triumphs, and has had in all civilised ages attractions for the thoughtful reader. The principles of strategy are, indeed, unvarying; but the right application of those principles depends on the genius of the general, and his mastery of his art. In nothing has the steady strong will of the King of Prussia, acting through the patient and yet versatile agency of his trusted advisers, displayed itself more strongly, than in the care with which Von Moltke and his staff have followed up the lessons of their patriotic countryman, Clausewitz, and learnt to modify old rules of strategy to new inventions. For Clausewitz was the first to show in theory that the so-called principles of the art of war must be intelligently applied according to circumstances, and not used by formal method. Hence it is that—to give one most striking instance—we find the 'ex-

terior lines' condemned of old for moderately sized armies, become the practice of a Prussian strategist when throwing 300,000 men into Bohemia in 1866, and nearly twice that number into France four years later. The reason of this modification is obvious. When such masses of men are to be brought suddenly and simultaneously into action, it can only be done by moving them from different points by different routes against the enemy. To mass them on one or two parallel lines of advance would be to oppose only part of the striking force to the enemy awaiting it, and the apparent risk of division is more than compensated for by the celerity and the development of front gained. There must of course be present the condition that each army is of itself for the time so strong as not to be liable to be wholly crushed by a sudden movement of the enemy's main force without the other's arriving to its aid. It was to maintain this condition that, as we presume, Herwarth's army was joined in 1866, and Steinmetz's in 1870, to the central force (in each case under Prince Frederic Charles), instead of making an independent movement as the third body under the Crown Prince was in both campaigns directed to do. Had MacMahon's force been increased at the end of July, and the Emperor's diminished until their proportions were reversed, so that the former became the main defensive army, the latter a mere detached wing, there would not have been only a general similarity, but a marvellous parallelism between the openings of the two campaigns. In each case, moreover, the first successes were so decisive that henceforth all hope of equality passed away. But especially was this the case in the late war after the defeats of the French on the frontier, when their weakness numerically and morally became so apparent, that boldness, ever increasing with new successes, became the simple key to the later portion of the German strategy.

To study that of the vanquished side in detail, would but be to give the history of a long series of blunders. As a memorable example of these, we may point out that the signal error with which the Emperor, by his own admission, began the war, was committed in direct opposition to all right principles. The defensive, as Clausewitz has remarked, is the natural strategy of the weaker party, its object being, by the use of artificial aid, to balance material superiority. Instead of following this view, the Emperor, trusting to the favourite *élan* of which his army claimed a monopoly, resolved to begin by placing his whole field force upon the frontier. He tells us that he knew the enemy's numbers to be double his own. He must have known also from the experience of 1866 that they would be ready to meet him in a fortnight. Yet in seeking the fancied advantages of a bold offensive, which his inferior administration made in the end an impossibility, he neglected all the necessary means of defending France, and disseminated her whole available forces where defeat, rapidly followed up, must entail their destruction, or at least the fatal disorganisation of a long retreat.

It is easy now to criticise this error, and those that followed it; the easier that Napoleon III., in writing his Apology, has placed the means of his condemnation in our hands. But how different might have been the fate of his dynasty and country had he conformed his operations to the weakness which he clearly recognised. Commanding not more than one half of the armies moved against him, he should beyond doubt from the first have kept them on the defensive, withdrawn at least as far as the Moselle at the outset, and should have held no position but such as was both strong in itself and easy to retreat from. Every mile that he fell back towards Paris would have weakened his adversaries and given his own troops more means of support, until the original preponderance of the Germans might in the end have been turned against them. To show that these speculations are not mere fancies, let us suppose that his forces, united without risking a Forbach and a Woerth, had yet been so suddenly and sharply beaten on the Moselle that the left half had been cut off and separated, as Bazaine's army actually was, from its proper right wing under MacMahon: this very misfortune should have been all the stronger argument for the steady retreat of the latter to a safe position near Paris. For Paris, as we know, could have been defended for a while by the reserves, whilst the field army, if not sufficient to meet the Prussians in open battle, might, by its judicious use in threatening their communications, have easily frustrated their design of investing the capital. Does anyone suppose that the Germans would have even ventured to show themselves seriously before it last September, had MacMahon with 150,000 men been planted north of Soissons on their flank, and his rear and flank sheltered by the northern fortresses—in short, if he had occupied that very position in which Faidherbe with 40,000 ill-trained levies gave the German staff serious uneasiness three months later? History and theory alike declare that the siege of Paris under such circumstances would have been impossible.

In closing our review we feel that we may have disappointed some readers by speaking almost solely of the early portion of the war,

to the neglect of that second stage, when France armed her republican levies as in the war of invasion, after ridding herself of the incubus of monarchy, so as to use her irregular energies the more freely. Let us briefly state why we have purposely done this.

Without asserting (in the words attributed to Von Moltke when speaking of the American civil war) that the educated soldier cannot profit by studying 'the scrambling of armed mobs,' the lesson conveyed by such scrambling, as it has been witnessed recently, opposed to a finished soldiership, is too plain to need elaborate discussion. It is simply that in this age of scientific thought, war must be treated as a science. No nation has ever had the same opportunity of testing the power of the bare enthusiasm of armed myriads of levies in defence of her soil as France has had of late; and no nation has ever succumbed more miserably and hopelessly to the invader. D'Aurelle de Paladines might bring 150,000 of such recruits into decent order by his iron discipline; but he could not prevent them marching to the rear by whole corps as soon as the first rumour of disaster was whispered through his troops, then but a few miles advanced beyond the entrenchments before Orleans, which they at once retired into only to pass through and abandon. Chanzy proved capable of holding a mass of them bravely together for days about Beaugency against the repeated attacks of a lesser force of Germans; yet after winning their confidence, he found his forces melt away hopelessly in detail when he scattered them forwards from Le Mans to defend one of the strongest districts which France could offer him for the purpose of irregular warfare. Faidherbe won such mastery over his levies, as to twice fight drawn battles against inferior numbers by holding rigidly a chosen position; but his army broke at once into confusion and ruin when he attempted to manœuvre it before St. Quentin on open ground in face of half its number of Prussians. Bourbaki was able to carry an enormous mass of these Mobiles with him across France to try that bold offensive on which Frenchmen pin their faith; but he arrived below Belfort only to be repulsed in attacking an army numbering a third of his own, and to be absolutely destroyed on his retreat by another of the same inferior strength. In these days of vast projects for arming our nation, proposals which imply either a burden intolerable to the working classes, if the levies are really to be trained, or a delusive paper show of strength if they are but mustered, it is well to get rid of illusions which may hinder real reform. We do not want, as we five years since wrote in these pages, a large army: but what we have should be in every branch ready to expand at call to a size sufficient for our actual necessities. It should be highly trained, and the discipline for which our service is renowned should be fairly maintained. Its officers should be educated, both by theory and practice, to the full proportion of their respective responsibilities. Its organisation should have no false economy in peace that would make it unfitted for the calls of war. Such an army, we are certain, might be obtained by us without undue expenditure or oppressive conscription; and to the end that our defence may be thus secured, we invite our statesmen and their advisers to meditate deeply on the lessons of the war which has just shattered a great empire, the heritage of Napoleon, into ruins, and raised up a greater military power than that of France to overshadow Europe.

THE

EDINBURGH REVIEW,

OR

CRITICAL JOURNAL,

FOR

JULY—OCTOBER, 1871.

JUDEX DAMNATUR CUM NOCENS ABSOLVITUR.
PUBLIUS SYRUS.

VOLUME CXXXIV.

AMERICAN EDITION.

NEW YORK:
PUBLISHED BY THE LEONARD SCOTT PUBLISHING COMPANY,
140 FULTON STREET, BETWEEN BROADWAY AND NASSAU STREET.

1871.

S. W. GREEN,
PRINTER, STEREOTYPER, AND BINDER,
16 and 18 Jacob St., N. Y.

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THE

EDINBURGH REVIEW,

NO. CCLXXIII.

JULY, 1871.

ART. I.—1. *General Fadejew über Russlands Kriegsmacht und Kriegspolitik.* Uebersetzung aus dem Russischen, mit einem Vorwort von JULIUS ECKHARDT. Leipzig: 1870.

2. *Foreign Armies and Home Reserves.* By Capt. C. B. BRACKENBURY, R.A. London: 1871.

3. *A Letter addressed 'A sa Majesté l'Empereur Alexandre II.* Un Slave.' Published at Brussels, anonymously.

THE attention of Europe has during the last few years been much engaged by Prussian military organisation and the political greatness achieved by that country as a consequence of the improvement of her armies. All Governments have felt that a model has been set up before their eyes, the study of which was necessary to the sense of national security. The efforts made in France during the last years of Imperial rule for the purpose of placing her military establishments on a broader basis, and so to amplify the means of French aggression, have not altogether passed out of our recollection, notwithstanding the stupendous events which have overwhelmed the imagination during the last year. Austria has not yet been left behind in the race of improvement. Turkey and Italy have alike yielded to the same impulse. We ourselves have not been backward in the preparation of military change. In short, the feeling has been general that new proportions and new forms are wanting and must be had in the array of military forces. The acknowledgement is made and practically acted upon, that the direction of international policy is no longer what it was before the war of 1854. Each State appears now to rely alone on its own power and consequence, and to have lost faith in the effect of the relations which used to bind the community of European nations.

While the doings of all other countries were thus coming under observation on account of their pronounced character, comparatively small attention was till lately bestowed on Russia with respect to military and political reform. This Power had ceased for several years to attract notice in the discussions of European politics. Russia had lapsed into a strange and unusual diplomatic silence since the Peace of 1856. She appeared in foreign eyes to be entirely devoted to internal reforms of a character to raise a vast population from the position of serfdom to liberty and the free possession of property,—reforms which did not hesitate to deal in the most sweeping manner with what had been hitherto deemed the inalienable rights and privileges of the higher classes. The land was handled by the State in the interests of the whole community and of the particular measure of change in a manner startling to those who take their notions of national business from the proceedings of the British Parliament, when dealing with questions of class and property. While these changes were in progress, others were impending, consequent on the life imparted to the people by the new reforms, and on the example of other Continental countries, but more especially of Prussia.

It may not be uninstructive to trace the military awakening of Russia after her long repose and apparent inactivity subsequent to her struggle with the Western Powers. We have it on no mean Russian authority, that for some years after the war in the Crimea, a general notion of defeat was abroad in Russia, to recover from which time was required. Under this notion of defeat lay the still broader idea that the

great Russian nation had been overmatched —that more had been attempted than the country was equal to. This was attended by a feeling of political hopelessness and the paralysis of aspirations pointing to an ambitious foreign policy.

The want of rest was at the same time felt by the military administration. Recruiting was intermitted. Regiments were allowed to sink far below their usual strength. The fatigue of the nation was thus publicly acknowledged by the governing authorities, and time was allowed for recovery. But while admitting the lassitude of the people and of the administration of military affairs, it is certainly true that no signs of this were visible in the discharge of the great functions of Government for the development of internal reform and resources in almost every manner that could be named.

Allusion has already been made to the immense measure of the enfranchisement of the serfs by which the reign of Alexander II. will be distinguished for all time to come. If we would rightly estimate the practical bearings of that measure, we must think of something beyond its domestic results. We should consider also what are its consequences with regard to the prospects of Russia beyond her borders; in other words, how that change is likely to affect her foreign policy. Thus, it is now felt throughout Russia, and the fact is dwelt on with the utmost complacency by her writers, that the emancipation of the serfs has, as it were, caused the pulse of her national life to beat in a manner hitherto unknown. Whereas before, the people of Russia were but as a drove of cattle obeying the whip of the driver, they are now influenced by a national sentiment. They say further, that the nation is so young, is so fresh in its feeling, is so little disturbed by the distracting influences which fatally affect the strength of the Western Powers, that this national sentiment, developed as it now has been, and pervading as it does a people who for the first time enjoy the sense of individuality, is a source of a new power to Russia with reference to extension, whether through the sympathy of race or by the amplification of territory.

Such would appear to be the language which has been held for some years. Travellers tell us that the awakening from the state of lassitude and hopelessness following on 1856 is thorough and complete. The measure of emancipation having been executed, the fatigue of the late war having been forgotten, time and opportunity are afforded, and a stimulus is given to the Government to follow the military and diplomatic bent which since the days of Peter the Great has been the characteristic of Russian policy and administration.

Russia has reached a new epoch in her history. At length, in giving free scope to the tendency towards extension, the Czar does but follow the bias evinced by the people in the strongest manner. He moves in the direction indicated by public opinion in the discussions of the press. If we except the kingdom of Poland, the press in Russia has long had a freedom till lately unknown to other countries on the Continent of Europe. Any attempt at interference with this which may have been made at St. Petersburg, and such attempts have not been wanting from time to time, has met with but little success. The writers of Moscow have indeed been in a position to make terms with the Government; in short, to have their own way generally, notwithstanding occasional bureaucratic opposition.

Although these writers may have been sometimes inconvenient to the Government of the day, there can be but little doubt that the education they spread abroad, the never-ceasing glorification of the Russian name and power, the biting criticism of the institutions belonging to a state of society built on the past of serfdom in the lower classes and an utter dependence on the will of the Czar among the higher ones, have conduced in no slight manner to form the public opinion which gives life to the sentiment of national power and pride consequent on the emancipation. The administration of the Czar receives the full benefit flowing from such a state of things. It now feels that it relies on a basis of educated intelligence as distinguished from the solitary fact of a blind and stolid obedience. How this is likely to operate for the development of military power, we can judge from what goes on among ourselves. Thus, so soon as a people declaring the necessity of military extension whether from motives of ambition or from a sense of insecurity, takes its foreign policy and the management of its military affairs into its own hands, but little more is heard of economy and the hardships of military service. The popular voice quickly shows itself to be more potent than the silent consultation and decisions of absolute government. In no country have we seen this truth illustrated with more force than in our own. The application of it has, if we are rightly informed, begun with no slight significance in the empire whose affairs we are considering.

Although the measures taken for the purpose are naturally obnoxious and odious to those living outside the Russian dominions,

it is not difficult to understand, when Russian affairs are contemplated from the foregoing point of view, how it arises that the process of Russification of non-Russian provinces, as it is called, is considered a national duty by the old Russian party, the headquarters of which are at Moscow. The original annexation of Poland was an affair of Imperial ambition. This ambition was prompted by the desire to convert Russia into an European Power, and to establish a firm footing in the diplomacy of Europe. The prosecution of that policy has been followed up with invincible consistency and tenacity for 150 years. It was the effort of Imperial will and of the cabinets which influenced the minds of the successive Czars. Even very lately, that is to say, not more than fourteen years ago, evidence was available to show that it was by no means generally recognised in Russia, that the annexation of Poland had been a real advantage to that country. It was felt by many of the old Russian party that Russia Proper might lose in importance as being merged in a great confederation welded together under the name of the Russian Empire. Thus an article is in our recollection which appeared in a Moscow newspaper in 1857, arguing that the liberation of the people from absolute government, and so forth, was fatally delayed, if not absolutely impeded, by the facts of the annexation of Poland and the consequent necessity of military repression in that province. It was said that in the interests of Russia as well as of Poland, the remedy lay in the separation of the two countries, and in leaving Poland to shift for herself. The expression was used that Poland was as the *boulet* attached to the heel of the convict, and that the convict could not hope for self-assertion until he had rid himself of the *boulet*.

All this seems now to be changed. Except among the Poles themselves we do not hear of a party which desires, or even hints at, the expediency of depriving Russia of provinces the acquisition of which has cost so much blood. The retention of Poland and, if need be, its forcible repression, depend now on the national decision. The process of Russification is ruthlessly proceeded with, this being, so to speak, an expression of the national will rather than of mere Imperial policy. It is perhaps not too much to say that we here perceive the first great result of the abolition of serfdom on what may be called the foreign policy of Russia. For the original seizure of Poland and its strong military occupation were the salient points of her foreign policy during the last century, and, as will be indicated hereafter, form the basis of her action towards central and southern Europe in the present one. Indeed, to such a pitch have risen the aspirations of the national party, that many of the leading men have of late years persistently urged on the Government the necessity of applying to other provinces than Poland the Russifying process. Thus is sought to be reversed the prudent policy, which has generally left to conquered provinces and alien races the institutions and laws to which they had been accustomed prior to their absorption into the Russian Empire. The Russian Government has perhaps yielded to this pressure more easily than is consistent with what is due to her engagements towards those provinces and to their superior civilization. We do not propose, however, to enlarge on this point of the domestic policy of Russia, it having been alluded to merely to show the bias of the public mind of the country since the people began to take a share in the direction of their affairs which, as might have been expected, tends directly to increase the solidity of the old Russian or national party.

Side by side with the measures necessary for enfranchisement, a great material prosperity has been proceeding in Russia. Her revenues have increased in an extraordinary manner, her expenditure having, however, year by year exceeded her annual resources. Notwithstanding her chronic deficit, no country in Europe—indeed it might be said, or in America—displays a more rapid increase of wealth and all that serves to produce it. This is proved alike by the statistics of domestic and foreign trade. We need hardly remind the reader, who notices the operations of the Russian Government on the exchanges of Europe, of the great railway development which has taken place during the last few years. Railway enterprise, originally initiated by the will of the Government, has now, as in other countries, come to be prosecuted by the population. The first great railway between St. Petersburg and Moscow was completed in 1851. Since then three state railways have been opened for public traffic, and not less than eight private ones. On the 8th of January, 1869, a ukase was signed for the construction of eight more lines. The latter designed at the instance of the military authorities for strategical purposes, will open new roads into vast districts, thereby affording an outlet for produce; the political and commercial interests of the country being thus made to march together.

Such, then, is the broad basis of national reform, of material development, and of popular sentiment on which the politicians of Russia take their stand. This it is on which the Government of the Czar is able to

proceed when declaring a military policy which regards a free population in the place of a system founded on aristocratic privilege and subservience in the higher ranks and serfdom in the lower ranks of the people at large. This it is brings forward such writers as Gen. Fadejew on the military power, the war policy, and the vast potential resources of his country, which he wishes to apply for the purpose of domination over Europe in the sense of an aggressive foreign policy. To the consideration of his pages we now turn. Their publication has not only exercised much influence in Russia; they have been translated into German, and are held to be a warning of what united Germany may at some future time be expected to encounter from her great neighbour. This volume is a revised collection of critical treatises which appeared in 1867 in the 'Russki Westnik,' or Russian Messenger, a literary political monthly review, edited in Moscow by Katkow and Leontjew. The name of the first of these editors is well enough known in England to show to us what would be the uncompromising character of Fadejew's opinions, and with what boldness they would be given to the world. Accordingly this character is discovered in every page of his composition, which in its audacity as being directed against the failure of existing institutions, and towards the exercise of authority in high quarters, is certainly not exceeded by the public criticism of this country. It is not, however, the boldness of contemporary criticism which gives its great value to the publication of General Fadejew's opinions. He brings to bear on his subject of military reform an accurate practical knowledge of the army in which he has risen and served. An ardent reformer, he is at the same time an opponent of the Ministry of War engaged, as that ministry is, in the prosecution of searching reforms. At the same time General Fadejew is able to write with an extraordinary freedom from professional bias and technical pedantry.

Before proceeding to consider the *personnel* of the Russian army, we may reflect for a moment on the great natural advantages possessed by Russia in respect of strategical position, of the configuration of her boundaries, and of the population existing within them. And first with regard to strategical position. The year 1812 gave the evidence that whatever the military genius and concentration of war power which might be directed against Russia, the invasion of the country, owing to immensity of area, to sparseness of population, and to climatic causes, could only result in the ultimate discomfiture of the invading armies. The Russians say, with satisfaction, that the successful invasion of any country west of her own frontier may be followed by its indefinite occupation or its absolute ruin. Such consequences cannot result to Russia herself from an unsuccessful war. The utmost that can happen to her, as was seen in 1855, is that her resources can be so exhausted, that it might be expedient and prudent, in a political as well as military sense, to make peace. She might have the worst of the conflict, and therefore find it wise not to shrink from considerable sacrifice at the particular moment to effect a truce, trusting thereafter to the healing effects of time for the reparation of damages and the recovery of any advantages which might have been given up when peace was desired. We may take it as proved by the events of 1812, of 1855, and 1870, that this theory is a correct one. The worst that can happen to Russia in consequence of unsuccessful war is a temporary stoppage of European influence. She never can incur real national risk such as that which threatened Austria after the battle of Sadowa, or what we have seen to have overwhelmed France in the war lately terminated. This consideration has an extraordinary bearing on the object of the military development which will be touched on in a subsequent page.

The difficulty to be encountered by the invading armies in 1812 was, perhaps unconsciously, turned to account by the Allies who assailed Russia in 1854. The conditions of the strategical problem were, so to speak, then reversed. The Allies induced the Russians to fight out the battle in a cockpit on the Black Sea, situated at great distances from the reserves of men, material, and commissariat, with which the army engaged with the Allies had necessarily to be reinforced. Thus it happened that both in the transport of material and other supplies, and in bringing the reinforcements to the distant point, there was an enormous waste of resources of various kinds. Indeed, according to the information with which everyone was acquainted in the years immediately subsequent to the Crimean War, the loss of men by death and disease was alarming as a matter of humanity, whilst the waste in the country in excess of what was actually provided for the troops, was very feelingly described to us by many of the great proprietors whose estates had suffered both in men, horses, and the products of the land. Perhaps such causes, which fatally operated against the further prosecution of the war on the Russian side, were more potent towards compelling the Russians to sue for peace than any damage done by

shot and shell in the small arena chosen for conflict by the Governments of the Allied Powers.

We cannot doubt, then, that to a certain degree the strategical conditions of the Russian Empire which consummated the ruin of Napoleon the First in 1812, militated against Russia in her contest with the Allies in the years 1854 and 1855. But since those dates things have changed in Russia. The military recovery might be delayed, but, as we have seen, the Government has never lost sight of the absolute necessity of so placing the railway communication of the country on a footing common to the other countries of Europe as to preclude the future possibility of having to contend with disadvantages resulting from the extent of the Russian dominions. If conflict again occur with an alliance directed against Russia, the Minister of War will have it in his power to push armies from one end of the empire to the other with the utmost despatch. The many reserves will thus be in immediate support of the front lines of the forces facing the enemy by means of the completed system of railways. This, then, is the great strategical change which has taken place since the Crimean War, and which is independent of the growth of her other resources and of the development of wealth. By means of this novel condition Russia has gained a new power for self-defence in the first instance and for aggression in the second, the value of which it is impossible to over-estimate. Illustration of this plain truth is needless. The experience of the great American War, and of the manner in which domestic railway communication has been turned to military account by France, Prussia, and Austria, in preparation for the act of stepping over a hostile border, gives a fair measure of the great increase of power which Russia has recently created for herself. The strategical purpose of Russia in her system of railways, part of which is completed and part in course of being laid down, is stated in detail with much clearness by Captain Brackenbury, to whose pages we invite a reference for the better understanding of the subject.

The phrase has often been used that Poland, situated as she is with Russia in the rear, with Prussia on her right front, and with Austria to the south-west, forms a great bastion, which is directed against the peace of Europe. For Poland is not merely a bastion of defence, as such a work is held to be in a city which may wait for attack but which has no other purpose. Poland, on the contrary, is the military base from which the most formidable aggression may be directed, according to such policy as it suits the Government of Russia to entertain. This view is held by all Russian politicians, generals, and engineers, in short, by everyone who is likely to be consulted with regard to the direction of the military forces of the empire. The celebrated Paskiewitch, whose name was venerated in Russia till the time of his death, very much as that of the Duke of Wellington among us, based his advice to the Czar Nicholas on this view. General Fadejew states the argument with regard to it more than once with much force and precision. He dismisses the notion that Turkey or the Black Sea can ever again be the theatre of a great struggle demanding the application of all the resources of Russia, as was seen in 1854 and 1855. He says, boldly, should the occasion arise of again pressing the Turkish question in the only sense in which that question has been conceived by the Russian Government since the days of Catherine the Great, that the operation against Turkey herself would be but a secondary affair. The real struggle would take place in central Europe.

In short, amidst the arrangements he contemplates with reference to the sea borders and the possibility of such dangers as might occur from the action of Maritime Powers, he clearly estimates the value of those Powers at something which we may perhaps measure by what has recently taken place. An important experience was gained in the late war in the Baltic Sea. The French, with a loud flourish of trumpets, despatched a fleet for the purpose of operating, and doing such mischief as it might, against the German coasts and seaports of the Baltic. It was originally intended, before the early break down of Wissemburg and Wörth, that the French squadron should convey an army of debarkation of some 60,000 men, under the orders of the Comte de Palikao. The shipment of this force did not occur, because of the early disasters of the campaign, but the French fleet proceeded to the Baltic. As is well known, with the exception of shutting up the commerce, that fleet was able to effect nothing of substantial importance. The direction of the naval force of France has since then been somewhat hastily blamed. But it is tolerably clear that a fleet, unassisted by a very numerous army, and directed away from the general combination, where the real struggle is proceeding, cannot effect operations of a positive character against a seaboard such as that presented by Northern Germany. The isolated fleet may at great risk attack a harbour or two, engage in a duel with a fort, or cut out shipping. But such operations, while they may be pleasing

to the vanity of the nation concerned, and applied by statesmen for the purpose of stimulating patriotic feeling, and maintaining warlike ardour, have no significant effect on the prosecution of a great war. Their results are almost null for the purpose of impeding the onward march of the armies which are charged with the duty of continuing the struggle on the vital point. This view was absolutely recognised in the leading military circles in Prussia, before the first shot was fired in 1870. It was, we believe, acted on in the councils of Count von Moltke when, owing to want of immediate preparation, the Germans were expecting the attack of France. Fadejew having reached similar conclusions proceeds to say that it is vain for Russia to waste large resources on the construction and maintenance of fleets. He makes no concealment of his opinion that the navy of Russia is but an artificial contrivance which, at all events under present circumstances, is little suited to the genius of her people in the prosecution of a large policy. The conditions of the Baltic Sea on the north, and of the Black Sea in the south, which since the springing up of the German power are not altogether unlike for the prohibition of Russian naval extension, afford a natural bar to the supremacy indicated by the designs of Peter the Great. Those designs have been steadily followed for a long time. Large fleets have been built and maintained; but no particular result of national power has ensued. The Russian fleets have never added to the lustre or the prestige of Russian arms. If this has not happened hitherto, under the more favourable conditions of the Baltic on the one side, and of the Black Sea on the other in former times, a different result can hardly be expected now that Germany begins to appear on the political horizon as a naval Power. The latter is likely, at no distant date, to command the outlet of the Baltic. Turkey in the south has achieved a naval position of far greater importance than was ever known in her previous history. Had these views proceeded from an English or German critic, they might have been open to question, as issuing from a hostile source; but the pages in which we discover them, prompted as they are by the strongest desire for the development of the warlike power of Russia, and by the intention of an aggressive policy, are indeed beyond suspicion.

We have then the fact fairly before us, that the most enlightened generals and statesmen of the last generation are followed by those of the present time in considering that the vast mass of the Russian armies finds its place on the western frontier of Russia. From this the province of Poland stands forth as a great bastion of offence directed against the breast of Europe. It threatens alike Germany on the one side and Austria on the other. The consistency of policy, and the tenacity of purpose, which have characterised Russian government and administration since the days of Peter, are visible in the manner in which the theory thus stated is being executed in practice. The expenditure in support of the schemes for the strategical connexion of the provinces is without limit; this being apparent in the completion of the first-class fortresses, in addition to the railway system, which convert Poland, on an immense scale, into such a Quadrilateral as that which maintained Austria in a position of successful defiance towards Italy. For the details necessary for the full comprehension of this part of the subject, we must again refer the reader to Captain Brackenbury's pages. It may be mentioned that the Russian fortresses have received every improvement that could be suggested by the genius and experience of Todleben. Reasoning from the facts of modern gunnery, and from his own practice in the defence of Sebastopol, this distinguished engineer has applied what may perhaps be called the Todleben system of fortification. This has been generally adopted in the fortresses of Russia. Mödlin is described by Captain Brackenbury as an ideal fortress. To use his striking language:—

'It is not a fortified town but a fortress pure and simple. All the people living in it are soldiers or those who live upon soldiers. Hence no starving families could torture a commandant with their prayers. No burghers ill-disposed to the Government could rise against the garrison. Huge, silent, and grim, Mödlin is almost untrodden by the foot of a stranger. In the ungracious exclusiveness and vast proportions, in the heterogeneous nature of her component parts, designed to threaten as well as defend, she represents not unfaithfully the heavy sullen Power of the North, which broods over Europe biding her time.'

The third point of natural power which has to be considered is the population of the country; and how far Russia may give cause of alarm to her neighbours, for reasons showing a difference under this head from other continental nations of Europe. We shall now give the cultivated Russian opinion, which must be taken *quantum valeat* by the reader; for our own part, we should say it is not far from the truth:—

'In her resources for war Russia has advantages not possessed by any country lying to the west of her frontier. There is no other great State which is not compelled to adhere by its historical conditions to some particular or ex-

clusive military organisation. Thus England has her army dependent on voluntary enlistment. France relies alone on a standing army, Prussia on a popular militia, which has been disciplined and trained into all the conditions of an army not only capable of the defence of the country but, as has lately been seen, which is equal to the most formidable aggressive purposes. The army of Russia, on the contrary, is not tied down by its traditions or any special respect to customs or political exigency. On the contrary, no single exclusive system could suffice to meet the demands of the country. The sources of Russian national power are of such different kinds, that each requires a particular treatment for its development. It is in the combination of the numerous independent institutions, and in their proper application, that Russia can expect to obtain a full mastery over all the power to be found in her. Russia has not yet been shaken in her political wholeness and integrity. There is but one heart and one dynasty in the empire, and the heart beats in unison with the dynasty. The organisation of Russian life rests on public confidence, and requires no support from military force. The army of Russia is at present free from any connexion with police duties, the consequence being that the military organisation is entirely independent of alien considerations of a political nature. In this may be found, as compared with others, an inestimable advantage on her side. Since the emancipation of the serfs, the numbers, the organisation, and the hierarchical disposition of the standing army are determined alone by the living spirit of the mass of the Russian people, and by the statistics of her population. There is little occasion to think of careful combinations and measures of foresight with reference to the people. The whole interior portion of the empire, including four-fifths of the State, may, in case of a war, be absolutely divested of troops with the exception of the guards of the jails. Thus is Russia in a position to concentrate the whole of her forces for the execution of her policy in a manner which might be difficult, if not impossible, in other countries. It is not forgotten in Russia that the Moscow Municipality of 1863 proposed to organise a guard of the inhabitants to permit of all the troops being sent to the frontier. For the defence of her borders in addition to her standing army, Russia disposes of a powerful popular armed power, which is applied in England by the volunteers, in the militia system in Switzerland and of America, but which is strange to the other countries of Europe. The latter dare not place arms in the hands of their citizens, unless they have been converted into soldiers. We have seen how carefully the highly popular Italian Government watched her volunteers. Prussia alone of continental countries has recourse to a militia, but then it is a militia trained and converted to the condition of a regular army; indeed it is a part of that army. In Russia during this century, the militia, "Opoltschenil," have been three times called out, that is in the years 1807, 1812, 1855. No great war will ever take place without again having recourse to them as a reserve, for the defence of outlying boundaries, the guarantee of coasts against the troops of a maritime Power seeking to cause a diversion in favour of its allies which might be engaged in the principal struggle, the guard of fortresses, and so forth.'

Although every province in Russia is held to be liable to furnish its military contingent; and notwithstanding that, according to our Western views, lately conquered provinces might be held to be imbued with a strong anti-Russian spirit, and therefore to fail in military duty in the hour of trial, this does not seem to be true in practice. In the quoted opinion it is broadly stated that four-fifths of the empire may be divested of troops when the country is engaged in serious war. The great fortresses in Poland and in the Baltic would have to be occupied. But the occupation would fall on troops of an inferior description, or on militia not destined to act in the front line. Consequently, in the performance of such a duty may be found an appropriate place for the application of troops to which suspicion might attach. It is true that the elements of the Russian armies present a heterogeneous character. They include the natives of provinces believed by the Western world to be in a state of chronic dissatisfaction, which at times expresses itself in open revolt. Yet according to our knowledge of the action of Russian armies, we never hear of treachery to the standard in a Russian regiment. Nor does intelligence reach us of disappointment to a Russian commander in the field, because of lukewarmness amongst his men, or of misconduct springing from non-military sources. We do not know of any example of such want of harmony among the different nationalities serving in the same army under a Russian general as is alleged to have been seen in the Austrian forces during their late war against Prussia. The reasons of these facts of the Russian system comprehend many points demanding close investigation. Thus how much may be attributed to the operation of a consistent military method, or to the enormity of the mass into which the recruit is thrown on his coming from a disaffected province? It may be asked, if it be the influence of a regimental feeling in which the original national tendency is fused, or does the Russian process of assimilation depend partly on the uncivilized character of the people at large, and partly on a docility that helps to produce such consequences? The suggestion may occur that the Russian institutions, oppressive as they may appear to half-informed Western opinion, do not present in practice to the people concerned the points of diffi-

culty and annoyance attributed by others. It may be that much that we hear of the extreme poverty of many millions of the poorer classes, whether in town or country, and of the fact that, as in China and India, these millions exist on the thin line separating mere subsistence from starvation, is true in the main; and therefore that it exercises no slight effect on the willingness of the people to abandon homes which present but little charm or sense of security to them. If, as will be seen hereafter, the tendency of the army is to improve the lot of the individual soldier, such feelings cannot fail to grow in strength, and still more to reconcile large sections of the population to a forced service under the State, and indeed to prefer it to a miserable existence in the country where they can no longer claim by law protection from starvation at the hands of the great proprietors. It is probable, then, that the military consistency of the masses of the Russian armies is not the effect of one particular cause, but it owes more or less to the several motives that have been indicated. We would further hazard the opinion that this military consistency is but the type and the expression of the harmony and the oneness characterising the Russian Empire from end to end for political purposes. Is it not true that the sense entertained by foreign countries of this political unity within the circle of the Russian borders, lies at the root of their fears, as the acknowledgment of it is the cause of exultation at home?

We have somewhere seen the expression that although the evidence of lassitude evinced by the Russian people after the Peace of Paris is a sufficient sign that the power of Russia for war was then comparatively feeble, and therefore not to be dreaded by Western nations, nevertheless all who have made themselves acquainted with Russia on the spot, with the growing strength of her military forces, and with the military spirit again becoming prominent, speak with bated breath of the immense organism now developing before the eyes of Europe. This is, after all, but the counterpart of the opinions of the Russians themselves, whether illustrated in their popular prints or in pages of a graver character. For they say alike, do not think we are to be estimated by what took place in former wars, and more especially in the most recent one. Peace was then made for our convenience, but not as an absolute necessity of the pressure put upon us. The resources brought into operation in that last struggle, and on previous occasions subsequent to the death-wrestle with the first Napoleon, were combined according to such means as existed for the purpose. But how imperfect were those means of combination. How little could one part of the empire be brought into communion with the other parts. One section of this great country was left, so to speak, to shift for itself, while other portions of the vast mass lay almost inert. In short, Russia might be compared to a great creature, still, as it were, in embryonic form, a vital force of wonderful character lying potential within her frame, but as yet hardly animated.

Since 1855 this can be no longer said. For, as briefly shown in the foregoing pages, whether socially or physically considered, the vital power of Russia can be seen breaking forth in all directions. With reference to the points of military development, of intercommunication between the provinces for defence, of the general application of the people for Imperial purposes, and of the prosecution of a national policy, the empire is one. The difficulties of space have been obliterated. The furthest extremities of the empire are in immediate connection with the centralising and guiding power.

Such, then, is the change which has come over Russia as a country, which influences the population, which causes the process of Russification in the latest subdued provinces to advance with an accelerated motion and a more assured certainty of success. These are the facts which should attract the attention of Western Europe. These influences—some moral, some physical, and some artificial—are all conducive to one end. They have a potency unknown to the mere forms of military organisation, to the mere regularity of a military array, to the mere numbers of military forces. We see, under these circumstances, something in the moral aspect of Russia that reminds us of the attitude the United States of America have been able to preserve towards Europe.

For the last thirty years the United States have displayed a force in their diplomacy, which has rested, not on the actual presence of armies and fleets, but on what was believed to be the capacity of the American people for war if they should be engaged in a great struggle. That capacity was seen to depend on the spirit of the population, their wealth, and the position of their country. In a certain way Russia may now be said to impose on Europe, by what it may be in her power ultimately to effect rather than by the actual strength of her military forces. This is true, notwithstanding the attention paid to the latter, and the determination to adopt the policy of the nations of Western Europe, and so to place her forces on a permanent footing equivalent to what may be arrayed against her by an European alliance. What

ever value may be attributed to the speculation, we cannot doubt that the fact of even a partial belief in her latent strength and her great future as held by the Government and by the people is a lever of power of very special character, to observe the action of which becomes a duty of first-rate importance in the Cabinets of Europe. This part of the subject may be closed with the remark that the several populations of which the Empire of Russia is made up, present a numerical total more than double the aggregate numbers of any other single nation of the Continent.

The estimated strength of national forces must rest in all great countries on two important considerations. One may be called the domestic capacity for the formation of armies, and the other is the relative position of the State concerned in the general international system of the world. The former depends on a variety of circumstances, and is liable to vary with reference to social change, such as that which has been indicated in the enfranchisement of the serfs in Russia, to the advance or reaction of democratic influences, to the application in one country of what has been found to operate with success in another. To call on a country to make efforts on account of the second consideration, its relative position in the general international system, is a course frequently prompted by the example thus set to it by foreign plans of organisation, whether or not those plans indicate hostile designs against itself. If reason for alarm be afforded by their operation; if there be a fear in consequence of change of the relative international position; if, in short, the extraordinary development of a new power is felt to threaten domestic importance,—jealousy cannot fail to ensue with the further results of demands for military extension and the restoration of that general influence with which no Government is permitted to part by a people still careful of its self-respect.

If notwithstanding the staidness of our modern demeanour, the facts of our insular position and our commercial tendencies, we feel very fully the force of such motives and compel our Government to act on them, we cannot be surprised that an empire comparatively young, caring little for the reasons which operate with us for insisting on peace and quiet, should do likewise. It follows that such an empire must turn its attention powerfully and practically to the modes in which the relative position in the international system may not only be maintained but amplified by the enlargement of the domestic capacity for military development. A few words may then here be said on the relative international position of Russia, as it appears to her leading statesmen and generals, with regard to the exertions she might be called on to make under circumstances not to be deemed extraordinary, but at times to be expected according to the traditions and precedents of the last seventy years.

These traditions and precedents show very clearly that the bias of Russian policy is aggressive, that Russia has little to fear from the attack of any single Power, but that she is liable to be assailed by an alliance of many Powers.

Under such circumstances her position is a false one, if, after having sustained a first attack, she is not able to pass from a defensive to an aggressive attitude. This was seen in 1812, when Napoleon led all the Continent of Europe against Russia. The ruin of the Grand Army of France, followed as it was by the dissolution of the Alliance forced by Napoleon on Austria and Prussia, and the union of the two latter with Russia, enabled the Emperor Alexander to adventure on an offensive policy, and finally to reduce the assailant who had occupied Moscow. But this great result was owing not to the inherent power of Russia and the skill with which that power was arrayed in the field, but to the vast changes consequent on the destruction of the Grand Army, the effects and their consequences being European rather than merely Russian, so soon as the remnant of the French army disappeared from the Russian soil.

In the last great war waged by Russia against an alliance—that of the Crimea—the attitude maintained by her was simply defensive, and assuming even that a greater success had attended the stand made at Sebastopol, Russia had not the means with which to advance boldly from her position of mere defence to operations of counter-attack. To have been able to do this with safety, considering that in addition to English and Turks on both sides of the Black Sea, the Government of the Czar must have been provided with active armies to meet Austro-French forces, not less than 400,000 of trained troops in a state of mobilisation would have been required as distinguished from the depôts and garrison battalions. These forces, we are sure, were not at the disposal of Russia at that time. But what would be the demand now in the face of the enormous development lately given to other European armies, of the liberation of Austria from all care for Italy, of the concentration of the whole German power under the eagles of Prussia, of the appearance of the Italian army of 250,000 men as a new item in the military system of Europe? It

is indeed true that under present circumstances, where 400,000 men might have been formerly enough, 650,000 men now disposable for this particular purpose would not more than suffice. Such speculations, which were perhaps matter of political speculation before the Austro-Prussian war of 1866, have lately received the stamp of certainty. The recent efforts of Germany must have indeed placed them beyond all doubt as regards the interests of Russia if she would retain her relative position in the international system in any future struggle.

This, then, is the situation contemplated by the Russian statesmen. Russia is so strong in her geographical position and the number of her population, that no single Power is likely to risk a conflict with her. But a great European alliance may at any time be directed against her. The combative forces of the Empire must therefore be so arranged and reinforced as to enable her to meet this contingency. Otherwise these forces can only be considered insufficient for the national efforts, a disappointment of the expectations of the country, inadequate to her legitimate aspirations. No Russian attempts to conceal the opinion that his country has a great future before it, but that future is unattainable unless the proper and sufficient means should be provided. The people are very candid in the expression of their views. There are no qualms of national conscience as to the righteousness or sinfulness of war. All wars are justified in the Russian's eyes, if they satisfy what he holds to be the legitimate aims of his country. At times such wars may be defensive as being the results of a too hasty or too ardent pursuit of the national objects. But they are more often aggressive, whether as directed against Hungary, by which the weight of Russian influence was imposed on the domestic affairs of Austria, and therefore, to a certain extent, on Europe at large; as against the Turks in the passage of the Pruth; as against the tribes of the Caucasus till they were finally subdued; as in the never-ceasing extension in the East and South of Central Asia, where, as Nicholas observed, boundaries do not exist; or finally, as in the absolute reduction and thorough fortification of Poland, the great bastion of offence against Germany and Austria.

The attitude of Russia is, then, one of constant menace to the nations on her eastern, southern, and western boundaries. It is meant to be so by her statesmen. The position is accepted with the utmost complacency and unanimity by her people. This attitude, unmistakeably evinced by her grasping and often insolent diplomacy, declaredly means aggressive war whenever that diplomacy may require to depend on something more than threats and influence.

It is evident that with such views, which are shared alike by the people and the leading statesmen, there must be many and large precautions at home while the grand army on the western border is massed in strength of 650,000 men. True it is that four-fifths of the Russian Empire can take care of themselves, that when a great struggle proceeds with Europe a vast portion of the country requires no troops except for the guard of fortresses and prisons. But there is nevertheless the other fifth which must be vigilantly watched, in which military precaution can never be relaxed, and this, notwithstanding that the process of Russification may have been successfully prosecuted in the provinces annexed, and that the latter may furnish numerous recruits to the armies. It is said, and apparently on undeniable authority, that the presence of very large forces was demanded in the Baltic Provinces during the Crimean War. The number of 200,000 was lately stated in an article by General Fadejew, published in the 'Exchange Gazette'* of St. Petersburg, and he alleges, that in case of general war, a like number would be again required in that quarter. This statement is probably an exaggeration, and we prefer to take the general estimate as appearing in the volume under review rather than in a controversial paper which is directed against the existing Ministry of War.

With this passing observation, we believe we shall now best meet the wishes of the reader by an exact statement of the military wants, according to General Fadejew, as shown in his book in illustration of our more general remarks on the relative international position of Russia. It is necessary to bear in mind the distinction between the 'Active' and the 'Resident' armies when projecting the schemes of defence for the immense areas and the far-stretching frontiers and borders we are now contemplating. The former are the armies immediately fronting the enemy, the latter the troops to be left in occupation of the country when the active army is massed for action. When allusion is made to a division, it is to be understood that it comprehends 12 battalions of 1,000 men each. In the distribution of troops reference being made to infantry divisions, it is assumed that the subsidiary arms of cavalry and artillery will be in attendance in due proportion.

'Whatever enemy Russia may be called on

* See 'Pall Mall Gazette' of April 12, 1871.

to meet, it is tolerably clear that the concentration of the active Russian army will only take place on three points with regard to the well-known objects of a Russian military policy. The points are the kingdom of Poland, the banks of the Pruth, and the Turko-Asiatic frontier. Whether Russia be placed on the offensive or the defensive, concentration is alone possible on one or other of these points or on all three at the same time.

'Between the kingdom of Poland, the Pruth, and the Turko-Asiatic boundary, and beyond the extremities of the lines, thus indicated, there are nevertheless hundreds of versts of open frontier and two great water basins, the Baltic and the Black Seas. The whole extent must be guarded from attack. An alliance against Russia, without the participation of a maritime Power, is most improbable. This fact of the participation of a maritime Power in an alliance against Russia, of which we have already had an example, places Russia in a position to which no other Continental Power is exposed. The absence of great naval forces wherewith to meet the contingency must cause a country with long open coasts to be ready to defend the latter against hostile disembarkation. The Empire of Russia presents coasts also which although belonging to Russia are nevertheless not Russian, such as Finland, Samogitia, and the Caucasus. On one of these coasts, besides, the capital is situated.

'The problem of defence thus presented can apparently only be solved by keeping ready considerable numbers of troops on each important point of the coast; that is, to occupy the coasts with extraordinary forces, which do not represent practical strength for offence but the performance of duties and of guard whilst the war lasts, and pending its duration such forces are immovable.

'In this manner would Russia have to garrison the coasts of the White, the Baltic, and the Black Seas, and in addition fourteen fortresses of the first rank and many smaller ones, which lie along the western and southern borders from Sweaborg in the north to Kertch in the south. The four great cities of St. Petersburg, Riga, Warsaw, and Odessa have then to be considered; and, lastly, beyond all, Russia must think of occupying with corresponding forces the kingdom of Poland, the governments in the west and in the Caucasus, and to maintain quiet everywhere. After this statement we see clearly how colossal must be considered the resident forces of Russia in order to allow of the movement of her active army. . . .

'It is evident that no State could possibly afford to maintain a standing army in peace time as well as war, which should be sufficient after meeting the exigencies of the active forces to satisfy the vast demands entailed on those of resident character. In these resident forces will be found naturally the depôts and the reserves in which the recruits are formed. Certain dangerous points, more especially on the sea coast, would also be occupied by regular troops, the same forming a reserve to the actual army. Beyond this, however, it is neither possible nor expedient that the masses destined to garrison the coasts, the fortresses, the insecure provinces and posts in the interior should consist of highly proved troops. Russia cannot ever be engaged in an exclusively maritime war. In a great war conducted on land, the enemy would be too much employed to be able to direct large armies for disembarkation against her coasts. Young troops well armed and animated by the love of country are in general amply sufficient to withstand attempts of a more insignificant character, to guard her coasts and fortresses, to put down occasional insurrections, as for instance in the kingdom of Poland, to afford garrisons for hostile regions. Thus by the employment of such young and temporary troops, can the active army of Russia be made available for its proper purpose. As a consequence of the peculiar geographical position of the country, Russia requires a larger proportion of these temporary troops than any other country. The details may be thus approximately stated :—

	Divisions.
In Finland, for the garrison of the fortresses, the shore batteries and the reserve for the same	3
In Petersburg, Cronstadt, and the neighbourhood	¼
In the Baltic provinces	2
	9
In the western provinces a garrison for the eight western fortresses, including the citadel of Warsaw	4½
In the fourteen governments of the kingdom of Poland	7
Garrison at Warsaw	1
The Littoral of Lithuania	1
	13½
In the basin of Black Sea, garrisons of the fortresses from Benda to Kertch	3
Protection of Bessarabia on side of the Danube	1
The reserve for New Russia and Crimea against real attack	2
	6
In the Caucasus, and to replace troops which would in time of war be abstracted from the Daghestan and Terio, and for the garrisons of the border fortresses and certain towns in the Musálman Trans-Caucasian districts	5
The garrisons of the coasts of the White Sea	½
Grand total	34

The total is equivalent to 400,000 men. To this General Fadejew would add, as a measure of precaution, the raising of an additional six divisions, or 80,000 men, to aid in the occupation of territory in the rear of the active army, the blockade of fortresses, &c.

'Thus would the total of troops hitherto called temporary, but really to consist of the militia of the people (or opoltschenie), amount in time of war to 480,000 men. These are the so-called resident troops, to whom the duty of holding their own country would be confided, while the active army was engaged in the front.

'It may now be said that had the last war against an European alliance been waged in 1868, it would have been necessary, with reference to the numbers at the disposal of Austria, France, Italy, Turkey, and England, to have placed 600,000 men of active troops in the army of the West; 100,000 in the army of the South, and 70,000 in the Caucasus, and on the coasts of the Black Sea and the Turkish frontier. Besides the resources above mentioned, it would probably have been expedient to occupy still more strongly the coasts of the Black Sea in rear of the army of the South, to have reserves at hand on the advance of the army of the West, and to ward off all chance of risk in the Caucasus by adding a division of active troops on the usual garrisons being withdrawn. With such additions the sum total of the active army in time of war, although a certain portion of it would not be in front, would amount to 900,000 men. To this add the 480,000 of opoltschenie, and we have a result of 1,380,000 men under arms, in addition to the regimental depôts. In the year of 1854, the army states showed much larger figures. But at that date three-fourths of the men were not really soldiers. They had been hastily brought together and were but half-organised bodies of the people who were provided by the State, cost as much as real soldiers, but who, for the want of the commonest instruction and elementary organisation, could not be led into the field.'

Fadejew adds that the grouping of the active troops which has been thus illustrated, is not what would happen in an isolated case, but that it is the normal disposition of the Russian forces against an European alliance. 'Had the Russian statesmen of 1855 struck really for victory in the Eastern War—and it must be admitted that the means for this purpose were not really wanting—four-fifths of the Imperial forces should have been disposed in the army of the West, and so will it be in the future.'

The important part proposed by General Fadejew to be assigned to the Militia in the case of another general war, in which the resources of Russia should be made available against a formidable alliance, points to the necessity of placing this body on a more highly organised basis than has hitherto been admitted. When we read the discussion of this matter from the modern Russian point of view, to which, however, the Ministry of War does not fully give its adhesion, we can almost imagine that we are passing our own affairs under examination, so similar are the language and the argument held to what we have been accustomed at any time during this century. Thus there are discussions as to whether the Militia should be enrolled and drilled for three weeks *en masse*, or that only the youngest class—the men of twenty years of age—should be thus treated; or thirdly, that the men should be summoned but for two or three days in the year on certain holidays; and fourthly, that in time of peace they should not be summoned at all. The better opinion seems to be that a system founded on the first of these alternatives should be firmly established, a system not unlike that adopted by ourselves in our counties. It is observed that were this fairly set up, not only would the force of 480,000 men, whose duties have been illustrated, be forthcoming when they might be wanted, but that those duties are too important to be possibly intrusted to raw levies. It is suggested that to maintain a sufficient standing army to meet the contingency of war, with regard to the functions indicated for the temporary or resident troops, is out of the question. It follows then that the latter must have had a certain rude preparation, the habits of assembling, of some slight acquaintance with their officers and with one another, and an elementary habituation to the life of the barrack-yard, and to the rules of discipline. It is added that an economy may be found in the complete organisation of the militia-system in enabling the Government to part with bodies of local and garrison troops. These now swell the expenditure without any adequate return. It is a cardinal condition of State economy, that the 'standing active army' should be disposable for duty everywhere; that its constituents should not be transferred in crowds, from all ranks, to non-military business, a condition that is nowhere so much forgotten as in Russia. Oblivion of this condition, and the violation of the first principles on which it rests, are the fruitful sources of corruption in all classes, it may be said without exception, and cannot fail to be one cause of the shortcomings in point of numbers, and of the collapse in the efforts of the Government when the demand arises for real soldiers in proportion to the strength of the armies appearing in the official rolls.

By throwing in time of war all local and garrison duties on the militia, the local and garrison troops proper being, on the other hand, incorporated with the active army; by inflexibly asserting that there shall be henceforth no deduction from the active ranks for the civil duties of administration as a further consequence of a wholesome and wide-applied system of militia, uncertainty with reference to her resources will vanish from

the mind of Russia, and the great national result will have been obtained, which may be expressed in these words—'The organised militia of a people numbering eighty millions does not protect the State from the possibility of defeat in offensive war, but it does protect the country from the consequences of such defeat.'

In passing to the consideration of the regular troops, or what has been called the active army, it may be observed that although the imagination of Western Europe has been constantly excited since the Napoleonic wars in the early part of the century by the potential capacity of Russia for aggressive war, a greater power has been attributed to her than has hitherto been warranted by fact. Thus in these wars she was great in defence, and she ruined the Grand Army by the vastness of her area, the rude climate of her plains, the scantiness of provision to be found on them by an invader. But her military institutions only helped towards this, and they failed even at home to array sufficient numbers by which to stop the advance of the French hosts. In the other wars of that period, whether as shown in the career of Suwarof in Italy, in the campaigns of Austerlitz, of Preuss-Eylau, and so on, and later in the final advance on Paris, the Russians never fought with the advantage of numbers, or with the support of many reserves, unless they formed one of a band of allies.

The same was generally remarked in the struggles with Frederick the Great of Prussia, his ultimate safety having indeed more than once depended on the apparent inability of Russia to meet his sharp and heavy blows by successive armies, to obliterate the effects of his daring conduct of the war in the face of unexampled difficulties, by the advance of such masses as might feel a wound, but could not sustain defeat as a whole. The achievements of Prussia, the example of the wars of the last ten years, the numbers at the disposal of her conterminous neighbours in the west and south, are sufficient evidence to Russia that the strength of the organised military forces of a very recent past can no longer suffice for the future. It has been shown that the popular element of the militia or opoltschenie must be called in to relieve the country of the intolerable burden of a standing army adequate to all the contingencies of the empire, and to enable the mobilisation of the active troops to take place with effect, with reference alike to mere defensive war, or to the consequences of success in defence, the passage to counter-attack and the assumption of a bold offensive. The estimate of 900,000 men has been set down for the purpose of a standing or active army. It does not seem excessive, if measured by the most recent experience, to which allusion has been already made.

The problem is then before Russia, how these great demands are to be met; how to enable her armies to suffice for the strong probability of a hostile European alliance being directed against her; how to encounter, with something approaching to equality, the 350,000 men who might be arrayed by Austria, and the like number of troops which might take part on the side of Germany after the latter had provided for her western border and against the hatred and desire of revenge of France; and how, thirdly, to be prepared with a southern army to stand opposite to the renovated forces of the Sultan.

The solution of the problem is sought by Russia in measures similar to those which are now proceeding experimentally in the organisation of the British army. It is proposed to have recourse to a condition of short service in ordinary times, to trust to a system according to which a large portion of the trained military power of the country should exist in seasons of general peace in the form of reserves at small expense to the State, the active army during such seasons being recognised as the national school for the due preparation of the reserves thus hidden away from observation, but ready to spring to arms in their proper places on the alarm of war being sounded.

It is argued that the greater the difference between the peace and war footing of a country, the more powerful are its ultimate combative resources. The power which is most feared is not that which is always apparently armed to the teeth; but it is that which sparing expense so far as may be in time of peace, is in a position to assert its strength suddenly, and on occasion to arm with rapidity. Modern reliance is placed in the capacity of a people to take up arms in the form of trained soldiers, rather than in what is visible as a standing army in camp and garrison.

Important as attention is to the quality of the troops, to the individual training of the men to the rules of discipline and to the use of arms, the production of the men in imposing numbers when they are required for the real purposes of the country, is of so far more consequence than the instruction and the polish of smaller forces. It is now indispensable that the active armies of a country should be so organised that to the largest possible numbers should be united the best possible quality under the circumstances of the time, this being the reverse of the proposition that troops of the highest quality should be as numerous as they can be, but

that no others are fit for use. In modern wars we depend on masses and the intelligent direction given to them rather than on nice manœuvres and the operations of slender bodies. Given a fair administration and tolerably equal ability of command on both sides in a great contest, superior numbers must carry with them the fortune of a campaign. Hence the disposition everywhere to add to numbers, to operate in vast masses, to cover the mishaps and losses of isolated battles by the general advance of the whole which ignores petty disasters in the execution of large movements—just as a battalion proceeds without taking account of its casualties. Accidents may determine the fate of skirmishes and sometimes of great battles, but the fortune of large and continuous campaigns has little to do with chance, if the numbers be adequate to a comprehensive military direction—in short, if the numbers be in proportion to the area operated on. If any exceptional circumstances of government and administration, as lately seen in France, be put aside, there should never be such a difference between the troops of European countries as to compensate for very inferior numbers.

It is evident that the relations of the quality to the quantity or numbers of the troops are of a very important character. There is a point at which elasticity is lost when the numbers are too much stretched with reference to the means at hand for organisation. If a certain limit of quantity be transgressed in this sense—if there be insufficient time to train the recruits of the armies which are engaged—if they are deteriorated by an excessive shortening of the period of service—if the battalions be left without a sufficient leaven of old soldiers, of the example and the training to be alone afforded by experienced comrades—it is clear that the armed body is in danger of sinking from the rank of an army to the character of an untrained mob. It is then sure to disappoint the country, to ruin the generals placed in command, to be more dangerous than useful. Of the results of the proper application of national resources after the most salutary preparation we have the most telling example in the conduct of Prussia before and after the recent war. In France we have seen a fatal illustration of the danger incurred by a country that puts on foot vast bodies of armed men and then calls them armies. In the consideration, then, of the complex questions now under discussion, reformers of ancient military institutions cannot too resolutely bear in mind that there is a point at which the rival exigencies of quantity and quality meet. The greatest care is required for the determination of the exact relative conditions according to which the development of the 'active national forces' on a popular basis can take place without deterioration of the necessary quality, but without too pedantic a restriction of the niceties of training and of the parade which characterised the armies of the last century.

The peculiarities of the population concerned must be carefully studied. There should be no slavish imitation of the institutions of other countries. Nearly every one has advantages not possessed by others, and on the contrary includes germs of weakness from which its neighbors may possibly be free. Thus the Russian, so brave and so obstinate in the field, so patient of fatigue, so active on the march, takes a longer time to train and educate than the German and the Frenchman. Russia has in her riding populations, in her nomad tribes, in the mountaineers of the Caucasus, natural elements for comprehensive military organisations of varied character which are denied to other countries. The irregular cavalry is obtained by the simple process of massing together the people of considerable provinces who are born riders, and whose martial disposition is thoroughly to be depended on. These same irregular horsemen are easily convertible into firm regular cavalry. In like manner the mountaineer of the Caucasus asks but for improved arms, to be without training or instruction the best of sharpshooters.

Hitherto there has been too much of imitation in the Russian institutions. With the best natural cavalry in the world for immediate use, the German model of Frederick the Great has been followed with great exactness but with much loss of time and power, in placing the Russian peasant on horseback with infinite labour. The example of the old Prussian army was resorted to in the construction of the Russian standing army. No appeal was made to national spirit. Soldiers were caused to serve for the term of twenty-five years, practically for life. Numbers were restricted not by the capacity of the country for the supply of men, but by the means available for turning out the finished automaton, believed, till lately, to be alone capable of victory when opposed to foreign armies.

The man was forgotten in the machine called a soldier. What it might be in the power of the empire to effect by attention to the conditions of individuality and to natural advantages was submerged by professional habits, traditions and prejudices. The bias of the establishment was more potent

than any principle or mode of organisation which might quicken the national pulse by the attraction of national sympathies. The military state of things antecedent to the war in the Crimea was thus essentially a relic of the olden time. The late Emperor Nicholas had, it would seem, a certain glimmering of the truth of what ought to be the guide in the military institutions. In the year 1840 commenced the custom of giving unlimited leave to men of fifteen years' service, on the understanding that they should return to their standards if required for active service. While this privilege was granted there does not seem to have been any good system according to which the 'leavemen' could be suddenly and immediately assembled, or returned to the ranks of the regiments in which they had originally served. Thus were they deprived of much of their ability, and the first step towards a system of trained reserves in times of peace, who, while ready to double the number of the active standing army, should cease to be a charge on the treasury, was not a very decided success.

In the 'Times' of the 14th January, 1871, will have been seen the practical fruit of the discussions which have been long proceeding. The responsibility of the whole people for the duty of national self-defence is now proclaimed as the principle which is to rule Russian society henceforth. The abolition of serfdom is followed by the abolition of aristocratic exemption from participation in this duty. The peasantry were formerly transferred for military service at the will of proprietors according to the human rate which might be struck for the same. The rate will still be struck, but it will now include the owners of estates who were lately the proprietors of the peasantry also. The equality of all men in Russia for the discharge of the first of national obligations is thus practically recognised, and the recognition is about to be enforced by law. Would that we could have seen a like recognition in the United Kingdom and advantage taken by the Government of the excitement of the last twelve months, and the general accord of men of different parties in the theoretical justice of the argument in favour of the enforcement of the common obligation. We should then have depended in future for the assertion of the power in the kingdom, whether in self-defence or the maintenance of her dignity abroad, on the security of law and Parliamentary sanction, instead of the fitful enthusiasm of certain members of the upper and middle classes, and the poverty and want of the lower ones. But it was not to be, and we must look to other countries for the example of national duty in this respect, which we are too weak to follow. France, in the midst of all her misfortunes, Italy throbbing with new national life, Prussia revelling in such success as has been rarely seen in the annals of the world, and now finally Russia, set forth the precept and act upon it, that for the discharge of duty in the truest national sense, the individual man, however great or however wealthy, must take his share with the humblest member of the community. The following is the first sentence in the draft of the new military law submitted by the Ministry of War and approved by the Czar:—'The defence of his country is the sacred duty of every Russian.'

The rest of the draft gives the details by which the foregoing precept is reduced to practice. In each year there will be a conscription to keep the army and navy on a proper footing, all young men being liable who have completed their twenty-first year. The annual number of recruits will be determined by law, and distributed over the empire and the kingdom of Poland. The men destined to serve will be indicated by lot, such only as are physically incapacitated being exempt. Temporary exemptions are allowed, but within the most restricted limits. Substitutes and exemption by purchase are prohibited. The period of service in the army and navy will be seven years for enlisted recruits, of which time the men will remain with the colours so long as may be required to keep up the complement of the army; otherwise what remains of the seven years may be passed in furlough. After the seven years another period of eight years is passed in the reserve. If called out during the eight years, the young reserve men will be with the active army, and the older ones will reinforce the garrisons of fortresses. In order to enable the educated classes to free themselves from compulsory conscription and to provide officers, young men possessed of a certain degree of education may be volunteers for a short period of service according to rules we are familiar with in the Prussian army. Persons belonging to the reserve are exempt from service only in the case of illness or of employment in some public capacity. All able-bodied persons not entering the army can in time of war be called out to serve in the militia. Now as formerly military service will be performed by the Cossacks under special laws, by the non-Russian inhabitants of certain portions of the empire, and by the population of the grand duchy of Finland.

In the second draft furnished by the Minister of War, General Miliutin, principles are

laid down for the guidance of the special commission appointed to draw up a law for the organization of the armed forces.

From this we gather that a militia may be formed for extraordinary contingencies if the safety of the country require it. The field forces retain their present organisation, their numbers being increased or diminished at the pleasure of the Government by granting furloughs or calling back men from furlough. The reserve forces will be organised during the continuance of peace and independently of the army being put on a war footing. Garrison battalions will be stationed in the districts from which they draw their reserves at the rate of two reserve battalions to one garrison. The reserve forces are only formed for service in time of war, the cadre being supplied by the local garrisons. Much attention is to be paid to the assignment of generals and superior officers, for the due keeping in readiness of the arms and accoutrements, and to the sufficiency of points of formation on account of the reserve forces. Such provinces as have but a thin population do not participate in the institution.

In a further report General Miliutin elucidates the drafts of which we have given the sense. He appears to differ in grave particulars from General Fadejew, to whose pages we have had recourse for guidance in the discussion of the principles which have been submitted to the public of Russia. Thus the Minister at War would seem to attach a much less importance to the institution of the national militia than General Fadejew. The former evidently leans in preference on regular formations of reserve, depending entirely on military regulation and the rules of the establishment.

Whilst saying that a militia may be formed in great emergencies, he would seem to deny that the institution possesses much practical utility. In short, he treats the militia as if it must always show the shortcomings which displayed themselves during the crisis of the Crimean war. All this is contrary to the teaching of General Fadejew. The latter distinctly attributes a great value to the institution on account of the national spirit it fosters, the bar it might ultimately put to the improper or corrupt employment of military men in all ranks, either for the purpose of civil administration or in utter disregard of the objects of public expenditure. It is not for us to offer an opinion as to which of the two authorities is in the right. It may be said that General Fadejew has brought a great knowledge and a very powerful argument to bear in support of his views, while perhaps those who have some acquaintance with Russian habits and thought would affirm that the Minister of War is not untrue to the official traditions in the midst of which he lives, and that he is therefore probably supported by the majority of Russian officers.

Putting aside this controversy, it must be admitted that the new institutions which are entirely in accord with all that has taken place since 1855, cannot fail to place new and large resources in the hands of the Russian Government. The military renovation is complete. The reform sweeps in all classes of society. The principle is fairly adopted according to which great attention is paid to the quality of the troops, whilst the quantity is multiplied according to the numbers presented by the population; that population being as we know double that of any other military Power. The second great principle has also not been forgotten in the designs of the new institutions; that being, that the visible standing army during peace represents but a fractional part of the resources of trained men immediately available on a declaration of war taking place. These reserves of trained men are no longer separated from the points of the assembly of the active army by months of laborious marching, but they will now be carried by railway to their destination from the most distant points in a few days. The problem, then, has been worked out, and we may look in a short time for the full execution of the measures so boldly projected in consequence. We learn in the public prints that these measures are in full progress.

Other changes have taken place of late years in the Russian army. We have it on the authority of Captain Brackenbury that the emancipation of the serfs and the policy of Count Miliutin have created a sense of individuality in the soldier which displays itself in various ways. The drill of the army has been changed and improved and adapted to the rifle and breech-loading arms. In terms of almost enthusiastic eulogy we are told by this writer of extraordinary results of discipline and training, and of the application of the troops in mimic war. It is said that if there be a loss in the appearance of weight and solidity in the Russian march, this is more than compensated by the improved fighting quality of the individual. We have always known that he was more tenacious and more obstinate in holding his ground than almost any other continental soldier. His powers of marching have also ever distinguished him very favourably. But we have been accustomed to think chiefly of the Russian army in the mass, and but little of the advantage to be gained by the advance from stolid barbarism of the

men composing it. In Russia, as elsewhere, it seems to be undoubted that as the national education makes progress, and the general intelligence is cleared accordingly, so the army partakes of the common improvement, and is likely to show this in an unmistakeable manner when it shall be engaged hereafter. In our estimation of these altered circumstances and the real solid effect on the efficiency of the Russian soldier, we should perhaps be careful to balance the somewhat enthusiastic opinions and accounts of the brilliant 'Times' reporter by the sterner valuation of the experienced Russian general, who, though an ardent reformer, is at the same time a strict and independent critic. The latter has actually served and commanded in the ranks to which the former has paid but a passing visit. Accordingly we do not find these glowing accounts of the British correspondent entirely supported by the native military critic. The latter alleges a want of discipline in the modern army of Russia. He points out how difficult it is for the Russian to acquire the *élan* of the French army, the accurate technical knowledge and skill in the use of arms of the Prussian and the Englishman. He shows that the special quality of the Russian forces lies in that power of 'taking punishment' and still standing up for more, which caused such surprise and difficulty to Frederick in the last century and to Napoleon in this, after their previous experience of Austrian and other opponents. Thus owing to this cause, although Russian commanders have often failed and been defeated, the Russian soldiery are never thoroughly beaten. They may be destroyed, but they continue to come again and to show a front to the last extremity. On the other hand, there is great difficulty in teaching the Russian peasant the use of arms as compared with the recruits of other countries. It takes almost three years to turn out a soldier from the raw material. He is as inferior in the intelligence required for individual fighting in loose order as he is dangerous when in the mass of closely welded combatants. Consequently the introduction of the new rifle breech-loading arms has subtracted an advantage from the Russian army, the tactics required for the old unimproved arms being far more favourable to the Russian genius than those necessarily introduced on account of the more deadly character of the new patterns.

True to its traditions, the Russian Government spares no pains in the theoretical education of the staff officers and those of the scientific arms, and in obtaining at any cost the best of materiel. Although in practice it may not be as successful as it wishes in the production of highly educated officers, in numbers sufficient for the vast forces requiring direction, it is clear, from the discussions and arguments noted in this paper, that there are means of supreme guidance not to be surpassed in any country.

The Russian administration may possibly go to unnecessary expense in Krupp ordnance and iron defences, but it is evident that it proceeds with a settled purpose, that purpose being to insure to the armies of Russia the best implements and tools, and not to rest satisfied unless they be afforded. It is difficult to suppose, with their absolute way of doing things, that the Russian administration have more difficulties to encounter in such matters than we have, or that ultimately Russia will prove slower in putting her military affairs on the widest and firmest footing, according to new and modern conditions. Russia may now be said to be in a transition state. But it is the state of execution after the decision has been passed—in short, of action subsequent to discussion.

According to information before us, on the accuracy of which the reader may rely, the total 'active' strength of the regular Russian army may be taken as follows :—

Infantry . . .	492,000
Rifle Battalions .	20,000
Cavalry . . .	33,000
Artillery . . .	28,000
Engineers . . .	11,500
Total .	584,500, with 1,128 guns.

To this must be added the force stationed in the Caucasus, the total then standing at 688,000 combatants, with 1,304 guns.

The above represents merely the combatant or 'active' army. But if we would estimate the real fighting power of Russia, and its capacity for extension, we must not omit from the computation the reserves (depôts), the irregular troops, the staff, ambulance, hospital, commissariat, transport, and chancellerie service; and lastly, the development of the principle of reserve, according to which the number of trained soldiers available for service but residing at their homes will be eventually not very far from the equivalent of those actually with the standards. Allowing for a large margin of casualties, it is clear that on the due emergency arising the combatant forces of Russia might be swelled to at least 1,200,000 men at short notice, which, when the new systems shall have been fully worked out, will attain larger and more startling dimensions. According to the general disposition of the troops as mentioned by the Minister of War, the forces in the western district and in that of St.

Petersburg, which may be considered available for service in Europe and are in easy communication with one another, amount to sixty per cent. of the Russian active army. The lines of railway now in course of execution will soon give the military district of Moscow a like character. The number of combatants thus available for immediate operation on foreign territory at the outbreak of European war would certainly not be overrated at 400,000 men.

Such are the facts of the Russian frontier forces as standing face to face with her neighbours of Austria, Germany, and Turkey. A few words, the result of recent close observation on the part of British officers, may be added. This is highly confirmatory of the Russian authority to which we have previously referred. Thus it is said that Russia will have difficulty in finding able and experienced general officers to whom to intrust the direction of her enormous forces. Imperial protection and many unworthy causes have filled the higher ranks with incapacity and perhaps corruption. The latent military talent can hardly come to the surface, owing to the evil system of promotion, actuated as it is by the personal feelings, the favour, or the prejudices of the Emperor. Vast numbers of officers, generals, and others are for ever being drafted into the civil service. This more particularly affects the staff and the scientific corps. The most capable officers, allured by the higher emoluments of the civil administration, are apt to disappear from the ranks of the army, in which they retain their titles of rank and their claim to promotion. The officers of the staff and the scientific branches are highly educated, and efforts to improve them in theory and practice are unintermitting; but the infantry officers are badly paid, poorly instructed, of little zeal, dissatisfied, and careless of their career and the future. They are declared to rise but little in intelligence above the men they command. The cavalry is good in appearance, in horses, and equipment, and the individual readiness of the soldier; but it is not thought that the Russian cavalry would be equal in intelligence to the German, or competent to the performance of such duties as we have lately seen skilfully executed in the advance of the armies of the Prussian royal commanders. To this we might perhaps reply that such duties can alone be learnt in actual war, and in the application of the energy of the troops by able superior command, such as that of Prince Charles Frederick. A very short term of actual practice under such command would transmute the most sluggish of cavalry. The strength of Russia in this arm, as before observed, lies in her races of born horsemen, and the number of them she is able to call out and apply. The infantry soldier still forms the real strength of the Russian army; but his lot has of late years been entirely changed. He is now as well treated as the infantry of other countries, including better diet, better clothing, medical supervision, gymnastics, schooling, the abolition of corporal punishment except by sentence of court-martial. The consequence is an improvement visible to every one. The Russian infantry soldier now really takes rank as an intelligent being; this marked change is visible in his gait and demeanour, in the outward appearance of independence and self-reliance. Owing to the amelioration in his lot and shortened service, the peasant no longer dreads the conscription. Even in Poland it is not feared as it used to be; and the draft for the men is determined by lot with the strictest impartiality.

It is sometimes said that the Russian soldier, while thus gaining in intelligence, has lost in discipline. It occurs to us that the absence of servility may easily but unfairly take the aspect of a lax discipline in the eyes of the old Russian officers bred under Constantine and Nicholas, but that the intelligent soldier who has a career of seven years of regimental service must become amply professional in his habits of thought. He cannot fail to gain from the rule of discipline all the advantage it affords in the interest of the whole. Stiffness and stolid servility were long mistaken for the only military form worth preserving. In Russia the form lasted longer than in other countries. Combative and moral power alike can hardly fail to gain in proportion to the intelligent method observed by the Ministry of War in the introduction of change and civilising influences. In future wars Russia may be found to begin with a new strength accordingly.

It is the complaint of General Fadejew that a slack notion of conduct has crept in among the officers. We find this view confirmed in other quarters. With relaxation of discipline has come occasional disloyalty. It has long been known that democratic ideas were more especially prevalent among the artillery and engineers. Such ideas were protected and propagated by the late Minister Miliutin, the brother of the general who is now the War Minister. The onward step to disloyalty in a country so constituted as Russia is not a wide one, and it has been observed to have taken place accordingly Facts illustrative of such feelings and tendencies were shown by the investigation following on the attempt of the life of the Emperor a few years back. This

matter has probably but little importance at present; but it is a sign of the times which is far from uninstructive. There is another indication as affecting Foreign Powers, which has, perhaps, a greater significance. The press and public opinion thoroughly go along with every detail of army reform and reorganisation. In military matters public opinion is in advance of the Government. The progress in military strength is no longer urged from above—it is rather stimulated from below. The ancient military policy of extension was imperial—the modern now rests on popular influence and public opinion. The reigning Emperor is believed to be really a man of peace. His son, the heir-apparent, is, on the contrary, understood to be ambitious, not without military ardour, and to be disposed towards war. He is anti-German in his politics, and would not unwillingly yield to the stimulus afforded by the National Party.

The German press warns us of the barefaced and cynical exposition of design afforded in Russia in support of the enunciation of her general principles. The old jealousy of race between German and Tartar, between Teuton and Sclave, thus does service to Austria and to Germany, and is an element of strength in the defence of what is most worth preserving in Europe. This jealousy, which lay dormant in Prussia for half a century, is again excited. There may be at times unholy cravings after the German provinces of Austria, but a real feeling of insecurity is prompted by the action and the public opinion of Russia. The very successes of Germany cause the people of the new Empire to be impatient of projects and developments on their eastern frontiers which interfere with the sense of safety and tranquillity. The North Germans inquire with some reason what would be thought of the practice of any other Government or country if general officers of high position permitted themselves to preach wholesale war and spoliation of neighbouring countries. Yet this is exactly the conduct pursued by General Fadejew in his articles in the 'Exchange Gazette' of St. Petersburg, which meets with but little real opposition from authority:*—

'The diplomatic denial of complicity on the part of the Government cannot be held to be worth much so long as the Russian press teems to overflowing with animosity towards Austria and with zeal for Pansclavist agitation among the southern and western Sclaves, and while the avowed and secret activity of even the Government organs is ever engaged in the corroboration of similar tendencies.'

Of the force of the argument of 'race' we have other interesting evidence. The letter addressed to the Emperor Alexander II. by 'un Slave' was published at Brussels early in this year. This publication is clearly the production of one conversant with Russian and Polish administration. The anonymous writer apparently belongs to the party that demands justice and self-government for Poland with the intention of causing her to form a substantial support of the Russian Empire. The policy he advocates is that of the Marquis Wielopolski. He seeks to attract the Emperor to a consideration of the wrongs and evil administration under which Poland suffers, but his reason is that it is wise to meet the antagonistic designs and tendencies of the Germans, and to insist on the solution of the great Sclave question in a Russian sense. He tells the Emperor that the Sclaves are surrounded by a wide circle of Germanism, from Revel in the North to the Black Sea, where a Hohenzollern reigns at the mouth of the Danube. In the extreme West Poland affords a strong position of defence which gives check to the shores of the Baltic, and is an advanced post towards the Sclavonic population of the west and south. Poland in Russian hands is a constant menace to Austria and Prussia. The latter would gladly come back to the arrangements of 1793. We have ourselves seen this view confirmed by articles in German newspapers. It is sometimes alleged by the German press that if there be no other alternative, a bulwark should be erected in Poland against Russia. Against this 'un Slave' protests, not because of any mischief arising to Poland were such a policy adopted, but because Russia would lose her position in Europe and her contact with the rest of the Sclavonic world. Apart from moral obligation Russia is under the strongest political necessity to make peace with Poland on a lasting and equitable basis. 'Such a peace should be the point of departure towards a real union in future. It is the foundation of the strength, of the grandeur, and of the prosperity of the great Sclavonic Empire.'

It would seem that the ideas thrown out by 'un Slave' are participated by others, some of whom are in a position of authority, and not disinclined to give them effect. The notion gathers strength from the fact that the Russian press has very recently adopted a similar tone respecting some sort of composition with Poland. This province has nearly recovered from the events of 1863, and Polish influence is said to be again making itself felt in the salons of St. Petersburg. In connection with this we hear the name of Prince Bariatinsky, the

* See 'Silesian Times' of January 27, 1870.

late conqueror of the Caucasus, quoted with much authority, it being thought that he would not be unwilling to treat Poland on Pansclavic principles for reasons exactly similar to those put forward by 'un Slave.' Fadejew is active in a like sense, as shown by a very recently published pamphlet.

At the same time we hear from various quarters that for the present, at all events, the Eastern question is held in Russia to be closed. The Russian Government stands now, as regards the Black Sea and its power of asserting a hostile attitude towards Turkey, nearly in the position it occupied before the war in the Crimea, with the advantage, however, of superior military organisation and a system of railways. Her views are not now immediately directed against Turkey. She has achieved a successful diplomatic campaign.

Although we may regret the step taken by Russia, we cannot be surprised at it. With the exception of ourselves the leading Powers of Europe had previously acquiesced in the expediency of making the concession she asked for. It may be that if with something of the warlike spirit which guided British counsels in the last century, Lord Granville had told the Sultan that England was ready to back him in a quarrel with the Czar, the former might have had recourse to the *ultima ratio regum*. But it is clear this was as little desired by the Turks as by the reasonable part of our own community, and a war for the Eastern question in its present form was never seriously contemplated by any Power throughout the discussion, which was finally terminated by the London Conference. It has suited certain continental politicians and parties to blame and depreciate England as the cause of the results of that Conference. But, in truth, neither government nor public of any country was serious in advocating resistance to the encroachments of Russia for her extrication from a position believed by all to be out of keeping for so great a Power. Russia, then, had her own way and is at present satisfied with reference to the aspect of her relations with Turkey. Indeed, we hear that her advances towards the latter have a highly pacific character. The 'Times' correspondent writes from Vienna on April 13, 1871, that harmony prevails between those two countries—all now goes smoothly. The Porte is left in peace and quiet. But Russia goes further than this negative proof of intention to avoid cause of discord:—'Russia seems inclined to honour and approve the reigning disposition at Constantinople which tends towards emancipating Turkey from all foreign interference in her internal affairs.' Turkey comes forward with her views of what may be the policy to pursue towards Roumania in the event of certain contingencies, after having made sure of the consent of Russia. If Turkey be allowed, as we are now informed, to perform her due function, according to treaty, of putting down the threatened civil war—if, by the attitude of Russia, Austria be placed under the necessity of abstaining from all interference, notwithstanding the presence of many Roumanian subjects in Transylvania and her deep interest in the Sclave population—she may fairly ask, and her allies should also inquire, if in the fact of Russia's institution of an *entente cordiale* with the Porte, we do not find the first forward step in a policy on the part of the former, for the due execution of which the neutrality of Turkey is a cardinal condition.

It is, indeed, impossible to doubt that an anodyne to Poland in the north, the intrigues in Roumania on the south-west, and the Russo-Czech agitation in the country lying as it were between the two, are parts of the same scheme. For these three sections form the line of western frontier along which is, we are told by Russian statesmen and generals, the normal position of the Great 'active' Russian army. In confirmation of the theory and in affirmation of the reality of ulterior designs, we see the development of the Russian forces on that line during the last year, of which the German newspapers and the English correspondents have informed us. The aspirations of influential parties in Russia are taking political form. The aggressive inclination of her people, the sense of popular dissatisfaction declared by her writers to exist with reference to her being cribbed and confined in domestic affairs, the desire for expansion, of which we are assured by the Russians themselves, are seen to be assuming a practical shape. We are now able to follow the outline of a policy which is thus becoming positive, as being marked out by the acts of Government and no longer indicated merely by the polemics of the press.

What, then, is the obvious conclusion which suggests itself alike to Austrian statesmen, to the organs of Russian opinion, and to English observers? It is that a struggle is impending between Russia and Austria; that it is inevitable sooner or later; that it cannot be averted. As shown in the foregoing pages, the reorganisation of the Russian army may have rested on motives of a more general character; but those motives differ entirely from such as may be at the bottom of similar efforts of military reconstitution, as seen in the United Kingdom, in

Austria, in Italy, in Turkey. They present rather an analogy with the policy of Prince Bismarck and the Emperor of Germany, when after 1859 they set fairly to work to create military forces which, while conferring vast powers for aggressive purposes, should lay the basis of a policy of national aggrandisement. In Prussia this might mean the assertion of German unity after a fashion which should guarantee Prussian predominance in the Empire about to be created. In Russia the analogous military policy signifies expansion according to certain theories of Race, and the more complete rounding off of the Russian province of Poland. Hence the recent rapid armament of Russia, with a view to a contest with Austria, which it is urged on high Russian authority should not be long deferred. In Russian eyes the due occasion will be seen when preparation shall have been sufficiently advanced, when the new military organisation shall have attained a proper solidity, when the first line of 400,000 men may count on reserves of equal amount—in short, when Russian numbers and resources shall have reached the proportion exhibited by Germany in her late contest.

The Ministry of War in Austria is undoubtedly fully alive to the march of opinion in Russia and to the corresponding military and diplomatic policy pursued by her Government. We may believe that the preparations of Russia are in the course of being met by similar action on the part of the advisers of the Emperor Francis Joseph. Whilst as usual in Austria, attention to the army is not forgotten, it is known that the railways of Hungary, the domestic strategical lines, are in the course of being rapidly pushed forward. The necessity of preparation is thus clearly indicated, and the settled purpose of the Austrian Government practically shown. But Austria alone, unaided, is not equal to a contest with the Czar. Austria, as she well knows herself, as acknowledged by all in civil and in military authority, wants rest. She has done much and is doing more towards healthy recovery after the blows of 1859 and 1866. But time is required to complete the cure. Effective as has been the march of the civil and constitutional reforms of Austria, and real as may be the reconciliation with Hungary, strengthened as she has been by the new power for the concentration of her means consequent on liberation from the old Italian care, Austria must seek in the general European arrangement that safety which is denied to her by the configuration of her frontier and the heterogeneous masses of her population.

If we come to something more positive than the 'Panslavic Idea,' we find that the Russians reckon on the disaffection of the Ruthenians in Eastern Galicia and of the Sclave population in Moravia and Bohemia. The former are undoubtedly indisposed towards Austria, and might perhaps be expected to render military precautions necessary in the event of war. Popular disturbance and animosity towards the land proprietors would possibly make themselves apparent. Notwithstanding the persistency of the Russian intrigues in Bohemia and Moravia some few years back, and the *entente* sought to be established with the Czech population by the Moscow press, it is not probable that Austria sees cause for distrust of these provinces on war breaking out. Insurrection or aid to the enemy, under such circumstances, would be opposed to all their traditions. On the whole we may safely conclude, that for purposes of defence, Austria is stronger than she was in 1866. If Russia should yield to the temptation to aggressive war under which she is now labouring, her expectations of assistance from the disaffection of any one of the different provinces and races of which Austria is made up, are likely to be disappointed. Nevertheless, in such an event, the situation would be one of extreme peril for Austria if she were left alone to confront her giant neighbour.

Although after the pleasing excitement consequent on the diplomatic success of the movement commenced in October last, Russia may be now drawing towards Turkey, and attempts may be made to separate the latter from Austria, the Porte can hardly forget that her interests are intimately bound up with those of that Empire which now confronts the great 'active' army of Russia. The Porte will continue to bear in mind the urgent counsel and warning afforded by those whose activity and aggressions are the settled policy of a hundred years. That counsel is contained in the modern Russian motto—'The Eastern question can alone be solved at Vienna in a Russian sense.'

England should weigh the value of this maxim with reference not only to the Eastern question, but to the preservation of Eastern and South-eastern Europe from a Russian advance, and to the maintenance of the European peace. As a result of her action at the late Conference England should be prepared to take a view of her position for the maintenance of the law of Europe according to the principle acted on in August, 1870, in the case of Belgium, and stated in the first protocol of the Conference. She must not shrink from the measures de-

manded for the protection not only of her old client Turkey, but of the Empire of Austria. It is rightly said that the stipulation of the treaty of 1856 regarding the Black Sea, was not designed for the purpose of humiliating Russia, but as a material guarantee of Turkish independence and European peace. The question then arises whether the two objects supposed to have been secured by the arrangements of 1856 have been sacrificed. If it be impossible not to admit that the assurance of peace consequent on the Crimean War has been very rudely shaken by the abrogation of the material guarantees, we shall have to recollect hereafter that we have been parties to this action. The treaty of the 15th April 1856 between Austria, Turkey, and Great Britain which makes any attack upon the independence and integrity of the Ottoman Empire a *casus belli* to the Three Powers, is still in full force and binding upon us. We cannot, then, divest ourselves of the duty falling upon us of taking our share, it may be the lead, in a general European combination, which shall in another manner afford security to the objects obtained in 1856 but lost in 1871. The calmness and quiet dignity with which Lord Granville met what may be called the effrontery of the Russian Ambassador at the Conference will find their justification in such a course.

The country should understand that these opinions are not the advice that leads to war. They lie at the foundation of the measure demanded on all sides for the restoration of the law of Europe—the law which has of late years disappeared. In the reassertion of it can alone be found peace and rest for the populations whose security has been so rudely disturbed. Such counsels, resting on what is due to international equity, on the consciousness of the duty, the dignity, and the responsibility of Great Britain, which she cannot abdicate, are the true counsels of peace.

The part to be played by Prussia, or rather Germany, in the immediate future remains to be considered. Between that country and Russia no cordiality exists except in the minds of the two Emperors. The Russians avow that they have nothing to expect from Germany; and they would be satisfied with neutrality in a more or less 'benevolent' form if war were declared against Austria. Germany might, however, well be a party to a general arrangement for the maintenance of the peace without forgetfulness of gratitude on the part of the German Emperor. It becomes her to mount guard on the east of Europe, to assure the great German people, whether existing within her own borders or those of Austria, against Moscovite encroachment. Germany would thus take her proper place in the European family, according to her new conditions, her duty being not less apparent, while her immediate interests are far more closely and advantageously concerned than is the case with England. Such a policy is evidently in unison with German sentiment. It would be properly directed against that hatred of races towards Germany which is now binding together Pole and Russian, as seen in the issues of the Russian press and the riots of Posen. A comprehensive firm diplomacy resting on such a basis, would give to Germany the moral influence she now lacks. There are indications that such views are to some extent entertained by Prince Bismarck's Government. It seems tolerably certain that whatever we read occasionally regarding the hostile feelings of the latter towards Austria has no foundation in fact. The diplomatic conduct is accordingly what was to be desired, as shown very recently in the cordial reception given to the Comte de Bellegarde, who was sent by the Emperor Francis Joseph to compliment the Emperor William. The envoy is said to have returned well pleased, bringing back with him proposals having reference to the Rouman Principalities. In the disposition evinced by such acts we trace what may lead to the general combination of the great Powers. Russia may be thus induced to persevere in the policy of peace and respect for others by which she has gained much credit during the last fifteen years. May the wish we utter become a reality in the interests of all the countries immediately concerned!

Let it be once more repeated. Russia makes no secret of her desire to encroach on her neighbour, to expand her influence abroad by force of arms, to make use of a propaganda for this purpose founded on a theory of race, to array the Sclave against the Magyar and the Austrian. The attitude of the Cabinets of St. Petersburg and Vienna is that of antagonists looking for the coming fray, however studiously allusion to it may be avoided by both sides in their correspondence. Russia tells us through her best informed generals and statesmen, and by the measures in the course of development and execution, that she fears no single Power, that she is confident no single Power will attack her, but that she does fear an alliance of many Powers, and that against such an alliance she must stand prepared. It is then for Europe to take the Power at its word that so boldly and cynically avows its object, and how it stands before the world.

The Russian scheme of military reorganisation must be taken to comprehend the means of placing the Empire in such a state of defence as to give a sufficient national sanction to the national aspiration. The scheme is intended to enable the Russian generals to advance on Central Europe without risk to the internal peace of the country. In the interest, therefore, of European civilisation and of the maintenance of the general peace, this scheme of military reorganisation in Russia urgently calls for the vigilance of England and Germany. The reorganisation may well cause Austria and Turkey to think how far it may be directed against their national security, perhaps their political existence.*

ART. II.—*The Lives of the Lord Chancellors and Keepers of the Great Seal of Ireland.* By J. R. O'FLANAGAN, M.R.I.A. London: 1870.

WE cannot in justice praise this book, and yet we are glad that it has been published. The veil of obscurity which had spread over all that relates to the national life and the genuine records of Irish history has been gradually lifted up; and of late years a variety of writers have elucidated the past of the sister country, if not with the vivifying touch of genius, at least with care and conscientious industry. Apart, however, from a few biographies and some sketches of remarkable merit—those of the late Mr. Shiel and Mr. Charles Phillips will at once occur to many of our readers—but little hitherto has been accomplished in retracing the legal annals of Ireland; and the history of the Irish Bench and Bar has been hardly at all explored. One of the reasons probably of this neglect is that, with exceptions of no great importance, the Irish Law Reports scarcely extend beyond the beginning of this century, so that it has become difficult to comprehend what at a comparatively recent period was the real character of the Irish Forum; and another may be that, great as is the just reputation of Irish lawyers, their position in a country which for centuries was ruled by the sword as a conquered province, prevented them from attaining the political eminence reached long ago by their fellows in England, and lowered their natural rank in the State. Yet the profession of the law has played a not insignificant part in shaping the varying fortunes of Ireland. Whether as an instrument of arbitrary power, or as a check on tyranny and wrong, it has largely influenced the national destinies; and it has reflected with singular clearness, and in a manner almost peculiar to itself, the sentiments and opinions of powerful classes. A biography of the personages who have held the chief place of honour in this order could, therefore, hardly fail to be interesting; and many as are the faults of Mr. O'Flanagan's book, it nevertheless deserves attention. It contains tolerably full sketches of the lives of many of the Irish Chancellors; it connects these with copious references to contemporaneous historical events; and it abounds in anecdotes, more or less valuable, which illustrate the times in which they held office. In a word, it is a laborious compilation which deals with a subject of an attractive kind; and though it is not a good book, it deserves to find readers, not only among the select few who care to investigate Irish history, but with the much more numerous class which takes pleasure in biographical gossip.

Unfortunately, however, these volumes fall far short of the standard of merit at which their author might have aimed; and we are surprised to learn that they represent even the desultory labours of many years. Mr. O'Flanagan, we regret to say, has proved himself to be deficient in the qualifications absolutely needful to deal in a satisfactory way with his subject. It is, no doubt, impossible to depict most of the earlier Irish Chancellors in anything like the lineaments of life; but several of the later names in the series had characteristics strongly marked; and a competent narrator would have placed their distinctive features clearly before us. Mr. O'Flanagan, however, does not exhibit the least trace of artistic skill; he seems unable to seize and bring out the qualities of the personages he attempts to portray; and in his pages we see nothing of the 'living images' of such men as Lords Lifford, Clare, and Plunket. Nor has he even a clear perception of the great outlines of Irish history, and, so to speak, of its general tendencies—a knowledge essential to his work, since not a few of the Irish Chancellors contributed largely to the events which marked the fortunes of the sister island, and some acted a conspicuous part in that long drama of national suffering. He appears not to have studied thoroughly any one of

* We have abstained from allusion to any possible results to India from a policy of military extension in Russia. To have done so would have opened up a subject demanding large treatment—in short, an article to be devoted entirely to itself.

the well-defined periods which make up the tale of the annals of Ireland, or, at least, not to possess the faculty of setting them plainly before the reader; and the result is that a fitting background is wanting to almost all his pictures, and they are devoid of their natural form and colouring. He has, indeed, slurred over or misinterpreted several passages of national importance which he ought to have clearly described if he wished to do justice to his theme; and his account of the Irish policy of the Tudors, and of the events that preceded the rising of 1641, is so meagre, imperfect, or onesided, that his sketches of the contemporaneous Chancellors are evidently partial or far from correct. Besides, we are constrained to remark that even when dealing with his immediate subject, he often makes inexplicable omissions, and is careless and inaccurate in the extreme. We are at a loss to know from what authorities Mr. O'Flanagan has compiled what he evidently imagines to be a complete list of the Chancellors of Ireland; but a reference to Haydn's 'Book of Dignities' will show that, without apparent reason, he has left out a considerable number of names. With respect, too, to some of his 'Lives,' he has neglected obvious sources of information; and we should infer from his notice of Archbishop Deane, and of that remarkable man Sir Thomas Cusack, that he had not studied such common books as Lord Campbell's 'Chancellors' or the 'Carew State Papers.' By comparing his text with the Roll of Patents in the 'Liber Munerum Hiberniæ,' we see that he is very inaccurate in his dates. We have detected a number of blunders during the period of the Plantagenets and the Tudors; and, as for modern instances, he informs us that Sir John Leach died in 1827, the year when that judge became Master of the Rolls, where he presided for a long time afterwards. Many similar cases might be cited; and what is to be thought of the care of a writer who criticises 'the bloody Bill of the six *Arbiters*'? and though Slender talked 'of a custos rotalorum,' would he write of the 'posse comitatus'?

Mr. O'Flanagan's volumes begin with a sketch of the Celtic Laws and institutions of Ireland. We shall not follow him into this disquisition, which is exceedingly bald and imperfect, for it is altogether foreign to his subject. The Irish Chancellors have administered a law wholly different from the Brehon customs, and in its genius singularly alien from them. During several centuries there were Englishmen who scorned the native judges as mere barbarians; and, instead of cultivating, they did their best, in the Anglo-Norman and Tudor periods, to discountenance or extirpate primitive usages which they rightly considered as connecting links in the stubborn frame of Irish nationality. In passing, however, we may observe that modern research has conclusively proved that the ancient laws of the Irish tribes formed a more elaborate and complete system than had been supposed by critics like Coke; and certainly not a few of the maxims of this venerable and now dead jurisprudence contrast favourably, in all that relates to the ordinary arrangements of social life, with 'the perfection of reason' of the old Common Law. The office of Lord Chancellor of Ireland, as Mr. O'Flanagan correctly admits, was an institution of foreign growth; and it may be traced nearly as far back as the first Norman conquest of the island, Stephen Ridell having certainly held the Seals as early as 1186. We shall not discuss the intricate question, hardly relevant to the present work, and but feebly handled by Mr. O'Flanagan, as to the relative positions of the Chief Justiciary and the Chancellor in the Aula Regis; suffice it to say that, as in England so in Ireland, the first great office fell into disuse at an early period; and Mr. O'Flanagan is clearly in error in imagining, as he apparently does, that the office of Chancellor is not much older than the reign of Henry III. or Edward I. It is more to the purpose to consider the authority and influence of the first Chancellors of Ireland; and Mr. O'Flanagan has not given sufficient prominence to this part of his subject, though he has evidently studied it a good deal. The subjection of Ireland to the earlier Plantagenets, as is well known, was nominal only; and while in theory the whole island became an appanage of the English monarchy, the small part alone which had been colonised by the first conquerors and their descendants passed under the dominion of English law, and all the rest remained in a state of rude independence under the native chieftains. The Anglo-Norman Pale and the Celtic Land were thus wholly distinct regions, inhabited by different and hostile races, and the inevitable result was widespread anarchy, and the destruction of the germs of civilisation. The institutions of the conquering colony were not likely, it may be supposed, to extend in this state of society, and where lawlessness and disorder abounded, the domain of law was narrow and precarious. The jurisdiction of the earlier Chancellors was nearly confined to the precincts of the Pale, and was all but unknown in the rest of the country; and, even within the Pale itself, it was encroached upon to a considerable extent by the juris-

diction of great feudal lords, who had obtained extravagant franchises from the Crown, and whose seneschals administered in their own Courts a strange medley of half-barbarous customs. Thus while in England the power of the Chancellors expanded steadily and spread far and wide as the monarchy became consolidated and settled, in Ireland it was restricted within narrow bounds, and was unfelt by the great body of the nation, at least as a reforming influence.

This difference in the constitutional position of the first chancellors of England and Ireland, corresponding to a similar difference in the political history of the two countries, is a striking and significant fact which Mr. O'Flanagan should have distinctly noticed. Though often held by eminent ecclesiastics, the office of Chancellor in England became peculiarly judicial at an early period; and men of remarkable parts and learning began soon to build up gradually the system of remedial jurisprudence, mitigating the harshness of the Common Law, which ultimately expanded into equity. This influence may be traced as far back as the reigns of John and Henry III.; and the principles then established having taken root, spread fruitfully over the whole country. In Ireland, on the other hand, the earlier Chancellors were only the instruments of sovereigns possessing little power; they were placed among a colony of conquerors who occupied only a part of the seaboard and were separated wholly from the native race; and, accordingly, they never had an opportunity of imitating their compeers in England, and of spreading the blessings of improved law and of equal justice over the whole island. Restricted in their judicial functions within a sphere smaller than the Pale itself, they probably did not cultivate earnestly the noble science which they professed; and as they all belonged to the dominant caste, they were often more conversant with the sword than with the administration of justice, and they learned to regard the subject people as mere aliens and natural enemies. Hence, though the first generations of Irish Chancellors were usually selected from the same class as those who held the Seals in England, we see plainly from Mr. O'Flanagan's book that they differed widely in their general characteristics from their fellows on this side of the Channel. They certainly created no school of law; and they allowed a foundation for legal students established in Dublin by Edward I. to fall into decay and ruin. It would appear that, filled with the prejudices of race, they seconded the remonstrances of the colony when more than one of the Plantagenet sovereigns wished to extend the Common Law to the aboriginal people; and they never attempted to enlarge the sphere of their scanty jurisdiction. Indeed, many of them were rather distinguished for their 'hostings' against the Irish chieftains than for their labours in dispensing justice; and the Anglo-Norman tribunals, like the Anglo-Norman Church, furnished more than one redoubtable soldier who cut down by hundreds the Celtic kerne. The very courts of these heads of the law, held within the precincts of the fortified 'Castle,' which protected the foreign burghers of Dublin from the raids of the septs of Meath and Wicklow, presented an image of martial state; and, unlike what was the case in England, most of these Chancellors went on circuit, and, in the interest of order in the Pale, hanged and tortured scores of the 'Irish enemy.' The spirit even of the ecclesiastics, of whom many filled the office, resembled that of their lay fellows; few appear to have been well-read lawyers; their position in the Church did not raise them above the sentiments of the Anglo-Norman colonists, or reconcile them to the real people; and as they were subject to hardly any control, they sometimes led idle and profligate lives, or were not above official corruption. De Bicknor, one of the most eminent, who attempted to found a university in Dublin, confined it to those of the English name; and he was compelled to disgorge a considerable sum, which he had appropriated 'by counterfeiting writings.'

The general result of this condition of affairs was to make the position of the Irish Chancellors, their influence, and their power in the State, wholly different from what it was in England; to render the office of little value as a means of civilising a rude society, and to separate altogether the heads of the law from the great mass of the Irish nation. This state of things was but little changed for more than three centuries after the Conquest; indeed the authority of the Chancellors, their importance, and their legal jurisdiction declined gradually as the Pale increased in the fourteenth and fifteenth centuries, while they became more and more isolated from the degenerate descendants of the first settlers, and from the Irishy who, having thrown off their nominal allegiance to the English Crown, now occupied almost the whole Island, and knew nothing of the law of the Saxon, except as associated with cruelty and wrong, and utterly abhorrent to their ancient customs. It is unnecessary to do more than glance at the list of Chancellors during this long period, of whom many have been omitted by Mr. O'Flanagan for some unknown reason. A few were really

eminent men; one especially, De Wickford, a trusted minister of Edward III., accompanied the King in his remarkable campaigns of conquest in France; and, just as we have seen in modern times, he insisted in negotiation on the absolute necessity of securing 'a strategic frontier' in Aquitaine, in order to justify schemes of annexation. Some other personages of note occur; the 'boy Chancellor,' the ill-fated son of the Duke of York and the 'Rose of Raby,' whose beauty, it is said, lured the Earl of Desmond and his Geraldines to perish at Wakefield; the Earl of Worcester, 'the butcher of England,' one of the most accomplished scholars of his age, but stained, it is said, with execrable crimes; Alexander Plunkett, the first probably of the colonists who obtained the office; and one or two Archbishops or Bishops who seem to have been more than commonly distinguished. Speaking generally, however, this long roll of Chancellors formed a succession of military politicians or of prelates, who have left nothing worth recording behind; and they doubtless trod in their predecessors' sway, administering a kind of rude justice within the contracted bounds of the Pale, protecting diligently the 'English interest,' and knowing nothing about the 'wild Irish,' except as creatures to be hunted down and destroyed. Mr. O'Flanagan has passed over one of these names: Thomas de Revi appears to have presided as Chancellor at the celebrated Convention of the Pale, which framed the well-known statutes of Kilkenny, perhaps the most remarkable monument extant of an attempt to sow hatred between two races; and we may believe that his wisdom inspired the colonists in this legislative effort. It is hardly necessary to add that during these centuries there was no development of Equity in Ireland, like that happily witnessed in England; the profession of the law bore little fruit in a soil rendered unkindly and barren; and the Irish Chancellors did not provoke any jealousy by enlightened devices to reconcile the Common Law with justice. At the same time ancient records show that something like a system of Equity had been imported into the Pale from England; but complaints appear to have been made more than once that it was an unknown language to several Chancellors.

During the second half of the fifteenth century a significant change may be traced in the names of the personages intrusted with the office. Up to this time the Irish Chancellors had usually been English courtiers or bishops; they were now frequently selected from the houses of the dominant Anglo-Norman nobles who had practically usurped the Government of the Pale. We find Butlers and Fitzgeralds on the list; and these functionaries were faithful representatives of the disorder and anarchy generally prevalent. This was the period when the power of England in Ireland had declined to the lowest point; and the heads of the law seem hardly to have been more than the nominal servants of the English monarchy. This state of things was tolerated for a time after the accession of Henry VII. to the throne; but when his dominion had become settled, he began to turn his attention to Ireland, and to endeavour to restore the influence of the Crown in a dependency already a disgrace and a danger. The celebrated statute called Poyning's Act, the opprobrium of later Irish patriots, by which the Parliament of the Pale was rendered subject to the English Council, and an attempt was make to bring the great Irish lords and their vassals under the control of the law, was passed in 1494; and from this moment we may date the revival of English ascendency in the country. Mr. O'Flanagan seems to know nothing about the life of the prelate who doubtless presided as Chancellor in this assembly; yet he was one of those men who, without any claim to personal importance, have a place in our annals. Henry Deane, sometime prior of Llanthony, was Chancellor of Ireland in 1494–5; he became afterwards Lord Keeper in England, Bishop of Bangor, and Archbishop of Canterbury; and he solemnised the ill-fated but memorable nuptials of Prince Arthur and Catharine of Arragon. At the beginning of the reign of Henry VIII., we see a return for a few years to the practice of committing the Irish Seals to the scions of families of the Pale; and during the brief ascendency of the House of Kildare, we find a St. Lawrence, who had fought with distinction at the great battle of Knocktuagh—the Harlaw of the Celtic tribes of Ireland — administering Equity as an Irish Chancellor. After the suppression of the Geraldine rebellion, when the King set himself to the task of consolidating his power in Ireland, we meet with Chancellors of a new type, formed doubtless in the revolutions of that age, and evidently selected as fitting instruments to carry out Tudor Irish policy. These men were nearly all ecclesiastics, trained in the school of Warham and Wolsey, and possessing considerable ability and learning, but pliant and useful servants of the Crown, and ready to do whatever Cromwell or their 'Sovereigne Lorde' might hint at or order. Mr. O'Flanagan's estimate of these functionaries depends mainly on the part they played in promoting or discouraging the Reformation in Ireland; and he commends highly the

Catholic Cromer, and denounces his Erastian successors. We freely allow that those who aided in the ecclesiastical work of that age in Ireland are not entitled to admiration; and probably more than one of these Chancellors was thoroughly selfish and rapacious; but Mr. O'Flanagan's test of their conduct is, after all, an unsafe criterion; and he does not point out what, in our judgment, was the least amiable of their characteristics. Henry VIII., in spite of Mr. O'Flanagan, who paints him as Cardinal Pole did, had, nevertheless, a policy for Ireland in some respect enlightened and grand; he wished to break down the barriers between the colony and the aboriginal race, and to seduce both to loyal obedience; and though he failed, partly through his own errors, his purpose was certainly wise and noble. His Irish Chancellors, however, although they bowed with meek submission to his commands, seem secretly to have tried to thwart them; filled with the dominant spirit of the Pale, they were to a man hostile to the 'Irish enemy;' and, whether they adhered to the old faith or acknowledged His Highness as 'Supreme Head,' the State Papers show that relentless oppression was their only expedient for governing the island.

The progress of Tudor conquest in Ireland extended the domain of English law, with the ever-increasing circle of the Pale. The confiscations of the religious houses gave an impulse also to litigation; and the practice of surrendering and taking back lands to be held by an English tenure, tended to the extinction of the Celtic customs. These causes contributed to enlarge the jurisdiction of the Irish Chancellors during the reigns of Henry and Elizabeth, and Equity having by this time become comparatively mature in England, began to flourish even in Irish soil. A School of Law, which it had been found impossible to establish before, rose upon the site of a suppressed monastery, and received the name of 'the King's Inns;' and, as we know from the State Papers, the legal profession became a powerful body not always subservient to the Government. The Irish Chancellors in this age abandoned their duties as criminal judges, and transferred them to the Presidents and other officials charged with the administration of this kind of justice; and they confined themselves to their proper Courts, which attracted an increasing amount of business. These functionaries were either lawyers, trained regularly to the practice of the bar, or prelates imbued with legal learning; some were unquestionably able men; and if we may judge from old legal documents, of which we have specimens in these volumes, they possessed considerable technical knowledge. Yet they do not wear a pleasing appearance as they pass along the stage of history, though one or two, like Weston and Gerard, seem to have been men of character and honour. As a class they belonged to the servile courtiers who so often climbed to power in those days—trimmers, ready to change their faith with the times, and constant only to the instinct of self; politicians, willing at all hazards to assert the doctrine of Divine Right; prelates, thinking more of their greedy families than of the Church they neglected and starved; and without an exception they could see nothing but evil in the native race, now more than ever alienated from their conquerors, by a double distinction of blood and religion. Thus Sir Thomas Cusack, who held the office during the reigns of Edward VI. and Mary, appears to have been a very able man, and, what was singular in his position, he really endeavoured, in administering justice, to engraft some of the Celtic usages on the ungenial plant of English law; but he appropriated Church lands without the least scruple, although probably a professing Catholic, and, a trait not noticed in these volumes, he bravely declared that there was nothing wrong in a plot to assassinate an Irish chieftain. Archbishop Curwen, who, by the way, gave its succession to the late Established Church, was one of the meanest of timeservers; and the name of Loftus, Chancellor and Primate, and founder of the University of Dublin, stands out as that of an audacious jobber, and is still remembered in Irish annals as stained with inhumanity of the deepest dye.

The reigns of James I. and his son form an important era in Irish history. The island had been completely subdued; the last hopes of the brilliant Tyrone had perished after the day of Kinsale; the Pale extended over more than three provinces; and the nation awaited the will of its conquerors. Society had assumed the shape of a colony, forming an aristocracy of the sword, and in possession of much of the land of the country torn from its ancient owners by violent means, and of a subjugated people oppressed and despoiled and separated by wide divisions from its rulers. The lines of demarcation were deepened by the hostility of two rival churches, and by the conflict between the modes of life prevailing among the settlers and the nation. The crisis was one which demanded statesmanship of a generous and enlightened kind; and it would be unfair to say that the first Stuarts and their ministers had no idea of the nature of the situation. The Settlement of Ulster by

which, notwithstanding a great deal of high-handed wrong, a real attempt was successfully made to reconcile the claims of the two races who dwelt in enmity upon the soil, and to plant the germs of a thriving community, remains a monument to the wisdom of Bacon; and the writings of Coke, and even of Davies, breathe a spirit of justice, nay of goodwill, towards the mass of the Irish people. But—what Mr. O'Flanagan has not pointed out with the clearness of one who understands the period—the effort to civilise and reclaim Ireland was frustrated by three distinct causes, and the result was a calamitous failure. In the first place, the constitution of the country was fashioned on a sectarian model; Protestant ascendency became supreme in the State, and while the dominant colony monopolised all social and political power, the Church of the nation was jealously proscribed. In the second place, with a narrowness of view, not however surprising in that age, peculiar care was taken to obliterate the usages of the Irish people; their customs were treated as barbarous and absurd; the few lands that remained to their leaders were brought under the control of English tenure, known to them as an expedient of coalescation; and their ancient institutions and organisation were placed under the protection of the law. And, in the third place, most important of all, if not a few of the statesmen of England had really noble designs for Ireland, the Government at the Castle fell into the hands of a succession of unscrupulous harpies, or of spoliators on a huge scale, who enriched themselves by multiplying forfeitures, and treated the country as a conquered province to be portioned out among Stuart favourites. On pretexts simply infamous or false, whole tracts were wrested from their former possessors and transferred to these official plunderers; the title of 'every estate in the kingdom,' it was said, 'was thrown into confusion and peril;' and the tale of wrong was grandly completed by the rapine of Strafford, who tried to confiscate the whole of Connaught for his master. The consequences were that the whole nation, including even the Catholics of the Pale, was exasperated against England and the Protestant colony, and that the hopes of security and peace on which progress depended were blasted; nor can it be doubted that these iniquities provoked the rising of 1641.

Mr. O'Flanagan's sketch of the Irish Chancellors, of the part they played in this evil trial, and of contemporaneous legal history, is very feeble and insufficient. From 1605 to 1619 the Seals were held by Thomas Jones, who also occupied the See of Dublin, and seems to have been a competent lawyer. This legal prelate proved himself a stanch supporter of the Protestant interest, which was dominant in Church and State; he gave his influence to Sir John Davies, in the well-known contest of 1613; and his visitation charges breathe little save an orthodox hatred of Irish Papists. It is said that he had some share in carrying out the Settlement of Ulster; but this probably was merely ministerial, for the design of that comprehensive scheme was foreign to his bigoted understanding; but we may readily believe that he approved or inspired the sweeping decision of the Irish Courts, which, with compendious presumption and harshness, pronounced the whole of the Brehon laws—laws, that even by the admission of Sir John Davies possessed a 'curious mixture of national equity' and governed the relations of the native race—a set of 'lewd and intolerable customs,' not to be maintained in a well-regulated state. The successor of Jones was a grandnephew of Loftus, the Elizabethan Chancellor of whom we have said a few words; he seems to have been a man of small parts, who, however, contrived to follow in the steps of his ancestor by enriching himself, with little scruple as to the means. It is not improbable that this guardian of the Irish conscience of the first Stuarts took an active part in the shameful proceedings for robbing Irish proprietors of their lands by suggesting inquiries into defective titles, which were too common in those days, nor yet that he pocketed the rewards of this traffic. We find that in 1639 he was dismissed from his office for malversation, in a great degree through the influence of Wentworth, who, if he was a beast of prey in Ireland, at least despoiled in the interests of the Crown, and had no sympathy with mere greedy jackals. Loftus, who, for services of a questionable kind, had been raised to the Peerage of Ely, was followed, in 1642, by Sir Richard Bolton, a lawyer of eminence as his writings prove, but whose career as Chancellor was cut short by the outbreak of the rebellion of 1641. We should wish to think well of this personage, for he has left on record sentiments with respect to the Irish race that do him honour, and that were not common in that age; but as, unfortunately, he assisted Strafford in his notable scheme for appropriating Connaught, his practice and speculation may have differed from each other. As regards the Irish Bar in those reigns, it seems to have increased in importance, owing probably to the number of lawsuits caused by the extinction of the Brehon customs, and the

general insecurity of titles. The Law Courts were permanently removed from the Castle; in the reign of Elizabeth it had been proposed to transfer them to St. Patrick's Cathedral; but Archbishop Loftus, fearing lest an inquiry into the interests of the Prebends might disclose some of his pleasant doings, had contrived piously to prevent this sacrilege.

After the subjugation of Ireland by Cromwell the Irish Seals were put in commission. The Commissioners, of whom the regicide Corbet was the most notable, seem not to have taken part in 'the settlement' of the country recorded carefully by Mr. Prendergast; this was carried out by the executive Government under the auspices of two special commissioners. At the Restoration, Sir Maurice Eustace, a scion of one of the families of the Pale, became Chancellor, and co-operated in the enactment of the celebrated statutes which, to this day, form the principal basis of title to most of the soil of Ireland. Mr. O'Flanagan properly condemns the injustice which stained the Acts of Settlement and Explanation; but it was hardly to be expected that the English Legislature would eject the Cromwellian colonists wholesale; and the most odious feature of the arrangement was the favouritism of the King, and the repudiation of the claims of the demands of Catholic proprietors, who had at least a right to a hearing. Sir Maurice Eustace, we think, acted like an honourable man in these transactions; he did much to stop the malevolent reports against the loyalty of the Irish Catholics, which the Protestant Irish sedulously circulated; and his hands remained clean in a scramble for property from which too many of the Castle profited. The memory of this eminent magistrate has not yet been wholly forgotten; and though his lands have passed, in the strange vicissitudes of Irish property, to the descendants of the ancient Huguenot family of La Touche, the peasant near Harristoun, in the County Kildare, can still point out the ruins of the mansion built and adorned by the worthy Chancellor.

The next holder of the Irish Seals was Michael Boyle, Bishop of Cork and Archbishop of Armagh and Dublin, the last and not the least distinguished of the mitred jurists who have filled the highest office in the land in these kingdoms. This prelate was a nephew of Richard Boyle, in after years the 'great Earl of Cork,' one of the most successful of the adventurers who, towards the close of the sixteenth century, made their good swords and their orthodox creed passports to honours and wealth in Ireland, and who, in some instances, and conspicuously in that of the noble house of Boyle, became the founders of families which have proved a blessing to their adopted country. Dr. Boyle first attracted public notice by his able advocacy of the claims of the Protestant settlers in the Diocese of Cork, when the Act of Settlement was under discussion; and, having been selected by the Irish Government as an agent to watch the progress of the Statute in its passage through the two English Houses, he received the thanks of the House of Lords for 'the services he performed on this occasion.' He became Chancellor of Ireland in 1663, and held the office for twenty-two years, during the period of superficial repose which preceded the rising of 1688–9. Although bred an ecclesiastic, he was certainly a very able judge; and he enjoyed a reputation on the Irish Bench not much inferior to that of Lord Nottingham, his great English contemporary. His Chancery 'orders' are still extant, and show that Equity had, by this time, acquired in Ireland a scientific form, and must have been assiduously studied by a learned and well-trained body of lawyers. Dr. Boyle was charged with having been 'a pluralist and jobber' in official life; but, as he was dismissed by James II. in 1686, when that sovereign was inaugurating his calamitous and reckless Irish policy, we are inclined to think that he was not only an able but an upright public servant.

The next name that appears on our list is that of one of the best of the Irish Chancellors. Sir Charles Porter was an English barrister who first became known in Westminster Hall as one of the counsel who became involved in the disputes in the reign of Charles II. touching the jurisdiction of the House of Lords in Equity Appeals in cases in which a member of the House of Commons was interested. Porter was arrested by the Sergeant-at-Arms, 'without being allowed to finish an argument he was addressing to the Master of the Rolls,' for having contended for the rights of the Upper House; but his brief imprisonment proved fortunate, for he soon attained considerable practice. In 1686 he received the Irish Seals from James II., at a conjuncture of great political moment, calculated to test the worth of public men. The King at this time had formed the design of humiliating the Protestant colony of Ireland, and of changing the constitution of the country by the mere exercise of arbitrary power; and for this purpose he resolved to make dangerous encroachments on the Act of Settlement, and to violate fundamental laws by raising Catholics to high places in Ireland, and practically giving them civil ascendency.

Admitting—and who will contradict?—that the existing order of things in the country was essentially unjust and grievous; that the Act of Settlement was tainted with wrong; and that the proscription of the Catholic nation of Ireland was lamentable and perilous in the extreme, still the revolution meditated by James was a mere outrage on public right; and, as might have been expected, it only ended in prolonging for generations the misfortunes of Ireland. The conduct of Sir Charles Porter at this difficult time was much to his honour. He assented to a compromise that would have considerably modified the Act of Settlement; he even acquiesced in the elevation of Catholic Judges to the Bench; but he refused to sanction the foolish violence of Tyrconnel against the Protestant interest; and for this he was removed from office. In his case, however, probity was not to prove the truth of the saying of Juvenal, and it was given him, in his subsequent career, to uphold the rights of the ill-fated race of which, doubtless, he appeared to James the prejudiced and harsh adversary. Sir Charles Porter returned to the Bar and practised till 1690; but when after the Boyne and Aghrim the Revolution had triumphed in Ireland, he was made one of the Lords Justices by William, his high character, as we may suppose, having pointed him out as fit for the office. In this capacity he affixed his name to the celebrated capitulation of Limerick; and, unlike most of the statesmen of the day, he insisted earnestly that the faith of England was pledged to observe the terms of the treaty, and expressed deep regret at the violation of it. Having been appointed Chancellor of Ireland, he threw all his influence on the side of a policy of mercy to the vanquished nation; and he steadily opposed the fierce zealots who clamoured for measures of general extermination. Mr. O'Flanagan's volumes contain letters of much interest hitherto unpublished, which illustrate the sentiments of the parties which determined Irish politics at this juncture; and it is gratifying to find that Sir Charles Porter invariably was an advocate of clemency. It is significant, and is an additional proof of the character of a ruler who at heart scorned the fanaticism of his Irish adherents, that William endeavoured on such occasions to support his Irish Chancellor, who, however, did not escape impeachment at the instance of the extreme Protestant faction. Sir Charles Porter died in 1697; we shall not say with Lord Clarendon that he 'was one of the two honest lawyers we have known;' but he was one of the purest and noblest characters that adorn the judicial annals of Ireland.

We can only briefly notice the 'Lives' of the other Chancellors of this era. Mr. O'Flanagan feebly tries to vindicate the reputation of the notorious Fitton, who held the office during the short period of Catholic ascendency under Tyrconnel, to be succeeded by a terrible retribution. That this person was of ancient lineage and was tolerated by the Irish Bar while the English bowed down to Scroggs and Jeffreys, will hardly get over the facts that he was charged with a subornation—of forgery—and was raised to the judicial Bench from a gaol. An eminent lawyer, Richard Freeman, whose Reports are still occasionally quoted, and who owed to James his first rise in life, was Chancellor of Ireland in 1707; but he resigned the Seals three years afterwards, and there is nothing remarkable in his career. The same may be said of Lord Chancellor Methuen, better known as the negotiator of the Treaty with Portugal which still bears his name, than as a politician and Judge in Ireland, and of Sir Constantine Phipps, ancestor through five descents of the distinguished nobleman who was first enabled to carry out the policy of discouraging Irish Orangeism inaugurated by Lord Wellesley. Sir Constantine was a friend of Swift, who paints his character in agreeable colours; and he seems to have endeavoured to mitigate the fury of the excessive Protestant faction at the Castle; but little is known of him except that he held the Seals from 1710 to 1714, and that at the accession of George I. he, with other Tories, was removed from office.

By far the most remarkable character of this age was Sir Richard Cox, a man of extraordinary versatility of parts, who truly 'made the world his oyster,' and whose career curiously illustrates the freaks of fortune in Ireland in that generation. Young Cox sprang from an Anglo-Irish family, settled for some time in the neighbourhood of Bandon, long known as the 'Derry of the south of Ireland,' and the very Mecca of Munster Protestantism. He began life as a country attorney; but having aspired to the honours of the Bar, he attained the rank of Recorder of Kinsale, and Chairman of Quarter Sessions in the county of Cork, about 1680 or 1681. Like many of his race, he was compelled to fly at the outbreak of the Popish revolution commenced under the auspices of Tyrconnel; and it is not improbable that his judicial charges, which savoured strongly of Puritan zeal, may have exposed him to considerable danger. He found a refuge at Bristol, and there formed an intimacy with Sir Robert Southwell—a loyal adherent of William III., whose visit to his

host is still among the traditions of the noble seat of King's Weston—and from this retreat he published a bitter philippic against Popery and the Irish race, which still has a place in some libraries. The friendship of Southwell or the fame of this work introduced the author to the Prince of Orange, and Recorder Cox is next seen in the camp of the Anglo-Dutch army in the capacity of a kind of military secretary. He did good service the day before the Boyne in suggesting with much presence of mind a ruse to discover the strength of the enemy; and after the battle he composed the 'King's Declaration' to the citizens of Dublin. He acquitted himself so well in this task that William observed, 'Do not alter a word;' and for a series of similar services he was appointed at the termination of the war to the double but not incongruous offices, considering the then condition of Ireland, of Judge of the Court of Common Pleas and Military Governor of the Cork District. In 1693 he was one of the Commissioners of Forfeited Estates; and ten years afterwards, having in the meantime filled the highest place in his own Court, he was raised to the rank of Chancellor of Ireland. In this capacity he sedulously promoted, as might indeed have been expected from him, the worst enactments of the Penal Code; yet it is but just to add that, like Porter, he had on previous occasions contended for the obligatory force of the Treaty of Limerick. Sir Richard Cox is said to have displayed great ability as an Equity Judge; but, however this may have been, he found leisure to cultivate his taste for letters, and while Lord Chancellor, he wrote a philosophical treatise of some merit, and a series of acrimonious pamphlets filled with Calvinism and elaborate denunciations of Popery and the 'barbarous Irish.' It was the fortune of this singular character to fill almost every office in the land; he resigned the Seals in 1707, but was made Lord Chief Justice in 1710, having triumphantly passed through the ordeal of an impeachment. Sir Richard Cox lived until 1733, long enough to witness the secure establishment of Protestant ascendency in Church and State, and retaining, it is said, to the last his antipathy towards the 'idolatrous nation.' He undoubtedly was a man of great mental powers; but it is significant of the difference between the state of England and Ireland in that time, that one who was half a soldier, half a lawyer, and altogether a bitter fanatic, should have held the dignity in the sister country which in ours was adorned by Lord Somers, a contemporary of very dissimilar character.

We have now reached a series of Chancellors who held office during the most melancholy and disastrous period of the history of Ireland. The short-lived triumph of the Catholic cause in 1686–88 had been followed by the Boyne and Aghrim, and Catholic Ireland was reduced by the conquerors to complete subjection. The ascendency of the Protestant colony which, though often interrupted by wild risings, had been growing more secure, was absolute and unquestioned; and the prostrate nation lay helpless in the chains of a degrading bondage. The descendants of Elizabethan and Cromwellian settlers were owners of five-sixths of the soil, and formed a tyrannical aristocracy of sect; the children of the ancient proprietors were either exiles in foreign lands or vegetated in thraldom on the estates of which their ancestors had been masters; the people formed a despised peasantry, already multiplying in swarms of pauperism. This state of society was stereotyped as it were upon the face of the country by that terrible Code which had for its objects the perpetuation of Protestant domination, the abasement of the real Irish people, and the separation into distinct castes of the races and creeds which common justice would have even yet fused into one nationality. The Penal Laws not only secured every office in the State to the favoured faith; not only threw the whole weight of the Government into the scale of a Puritan oligarchy; not only outlawed a nation to give a faction a monopoly of power and the privilege of doing wrong; not only persecuted the religion and outraged the conscience of Catholic Ireland; they corrupted and injured the whole body politic, and, in their aim at depriving the Catholics of the means of ever rising again, they endeavoured to prevent them from accumulating wealth, tried to destroy their family relations, and sanctioned an inquisition of the vilest kind into their most private and domestic arrangements. The enactments by which it was sought to annul the marriages of Protestant and Catholic persons, to rob the Catholic parent of his estate and tempt his son to an interested conversion, to forbid Catholics to purchase land, and to encourage a brood of base spies to make 'a Protestant discovery' of their transactions, are monuments of intolerable wrong; and it is strange that such atrocious training did not ruin the moral sense of the community. In this state of things Government, though firm and settled, was a mere system of oppression; and through that watchful Nemesis which attends wrong, the very interest for the benefit of which this system of iniquity was planned, suffered permanently and seriously from the consequences. The Protestant colony, cut

off from the nation, became the dependent garrison of England; its legislature was feeble, corrupt, and worthless; and it grew into a type of society, coarse, domineering, wasteful and reckless, which had little in common with a real aristocracy.

Such, feebly depicted by Mr. O'Flanagan, was the condition of Ireland during the generation that followed the accession of the House of Hanover. The Chancellors of this period reflected the character of the Government and the sentiments of the dominant party in the State, and however differing, have a family likeness. They were personages of ability and repute; indeed Lord Midleton was a great lawyer, and in his own way a very honest politician; Lord Chancellor West was a capable judge; and Lords Wyndham and Jocelyn filled their offices with commendable dignity. But they were without exception Englishmen—the executive of the mother-country being unwilling to intrust a place of political importance to mere colonists, and the feelings of the Irish Bar on the subject being not considered worthy of a thought; in the disputes which occasionally arose between the Government and the Protestant oligarchy, they invariably maintained what was described in the slang of the day 'the English interest.' They were in fact the associates and partners of such prelates as Boulter and Stone, the real rulers of Ireland at this period; and whether there was a question of the supremacy of the English over the Irish Courts, or of the dependency of the colonial Irish legislature, or of the unlimited power of the Crown in Ireland, they upheld the pretensions of the sovereign State. As a set-off, however, they vindicated the privileges of the dominant caste against the injured and degraded nation, and, indeed, contributed not a little to rivet the chains of Protestant ascendency. It fell to the lot of these Chancellors to administer the worst parts of the Penal Code —those which struck at the peace of Catholic families, forbade the acquisition of land by Catholics, and encouraged 'discoveries' of such purchases; and unquestionably judges who entertained a natural aversion to such statutes could easily have softened their rigour. But, one and all, these exponents of Equity pressed the Code to its most extreme limits; and, viewed in the light of modern ideas, some of their decisions appear monstrous. Mr. O'Flanagan gives a few instances of these odious interpretations of law, but he has not been happy in his selection, and a more complete and significant list will be found in 'Howard's Popery Cases.' An Equity student of the present day will be surprised to learn that, according to the doctrines of these Irish Chancellors, even an outlaw could be a Protestant 'discoverer'; that purchases of lands for valuable consideration without notice of the original defect, gave no title if at any time, however remote, a Papist purchased; that a trustee could repudiate his trust in order to become a 'discoverer'; that, to cause a forfeiture against a Papist, a trust of lands need not have been declared in a written instrument; that, in a word, settled principles of jurisprudence, and even the provisions of important statutes, were set at naught that a penal code of the most harsh kind should have free scope. Yet more suggestive than the letter of these judgments is the spirit which, as it were, breathes through them, and which proves what, in that age, must have been the perversion of thought in this matter. We find nowhere a touch of sympathy with the sufferers from these inhuman decrees; we are are often reminded that the Penal Laws are in the strictest sense 'remedial'; and, indeed, in one case, it was coolly asserted that a Papist had no right to complain, because the law would not assume the existence of such an obnoxious person!

We can only glance at the history of Ireland, connected in any way with our subject, during the generation after 1760. Our readers know how public spirit, fostered by the writings of Lucas and others, developed itself in the Protestant colony; how an agitation gradually sprang up for its emancipation from the mother-country; how, at the crisis of the American war, England was obliged to make concessions which would have been scornfully denied before; how the Irish Legislature was declared supreme; how the trade of the island was set free from the vexatious restrictions set upon it; how the Irish judicature was made independent and the prerogatives of the Crown were curtailed; and how a brilliant period of hope ensued, the harbinger, it was thought, of a national resurrection. As yet, however, little had been done for the proscribed and discredited Catholic people; and, though the worst of the Penal Laws were repealed, the Parliament, reflecting Protestant ascendency, refused, by overwhelming majorities, to do Catholic Ireland political justice. Nevertheless, such is the quickening spirit of aught resembling free institutions, that a strong opposition, with Grattan at its head, upheld the rights of the injured race; and had not the Irish Parliament been lamentably corrupt, or had not the French Revolution sowed the seeds of anarchy and discord in Ireland, the measure of 1829 might have been anticipated by Irish states-

men. During the troubled, changeful, yet stirring period, the Irish Seals were held by two men who represented what may be called inflexible Anglo-Irish Conservatism. Lord Bowes, an Englishman at the Irish bar, was Chancellor from 1757 to 1767; and was certainly a very able lawyer. The few remaining specimens of his judgments — Mr. O'Flanagan quotes a remarkable extract— show that he had fine reasoning powers, and a penetrating and calm intelligence; and he expressed himself in the terse, felicitous style, not uncommon on the judicial bench during the time that it was graced by Lord Mansfield. As a politician, however, and public man, he was a mere instrument of the junta at the Castle; and he opposed stubbornly every attempt to relax the severity of the Penal Code, and every demand of the Protestant Irish. His successor, Lord Lifford, an Englishman also, but not bred up in the Irish Courts, was a lawyer of much the same type; but though in politics he played a like part, he was less uncompromising in his opinions, no doubt because he fell on times when the Government was continually in difficulties, and judicious trimming was prudent and necessary. We have a tolerably accurate collection of the decisions of this eminent judge; they disclose a ripe acquaintance with Equity, and are couched in neat and scholarlike language. Yet he did not depart from the views of his predecessors in his interpretation of the Penal Code, though here it must be said for him, that he may have felt the obligation of established precedents. In the recent debates on the Irish Land Act, Lord Cairns referred to a judgment of Lord Lifford, as evidence that the Irish judges went out of their way in the last century to protect the rights of the Irish peasantry—a paradox of extraordinary boldness; nor does the case of Murray *v.* Bateman, alluded to by the noble Lord, lead a candid mind to any such conclusion. Lord Lifford held the Irish Seals during the long space of twenty-two years, from 1767 to 1789; and through all the changes of this stormy time, he contrived to make himself acceptable to Governments of the most opposite character, and to obtain very considerable gratifications, over and above the ordinary emoluments of office, for his eminent services in Church and State. Though really a decided politician, he held the even tenor of his way, whether Whig or Tory was in power, balanced by the weight of honours and riches; and if his sympathies were always with the Castle, he managed, with no common tact and cleverness, to stand tolerably well with the popular party.

Mr. O'Flanagan's volumes contain sketches of the Irish Bar, and of some of its leaders, during the periods we have been briefly noticing. None save those who either professed, or had conformed to the dominant faith, were allowed to enter the ranks of the profession; and men like Butler, Nagle, and Rice, who had adorned the bar, in a previous generation, were excluded from it with jealous bigotry. Yet to judge from several distinguished names, not a few Catholic Irish families had representatives in the Irish Forum; and the presence of this class of practitioners, who, it was said, were 'worse than actual Papists,' afflicted the conscience of more than one Chancellor. Many Catholic barristers, however, conformed and became Protestant in an equivocal sense; yet, even in these instances, an association with the old faith seems to have continued, for usually lawyers in this category were intrusted with briefs for Catholic defendants in their sad struggles with Protestant 'discoverers.' The most remarkable example of this occurs in the case of the family of Malone—a junior branch of the O'Connors of Offaley; it changed its creed in the last century, and gave a succession of eminent men during three generations to the Bar and Bench, the most remarkable being Anthony, sometime Chancellor of the Irish Exchequer, and still remembered as a high-minded patriot and the dauntless advocate of the Catholic client. The Four Courts of those days had nothing in common with the noble pile which now forms an appropriate temple to Irish justice; they were a mass of buildings at the back of Christ Church, known by the ominous name of 'Hell,' in the midst of ruined and filthy streets, running down to the southern bank of the Liffey. This whole region was an Irish Lincoln's Inn Fields, crowded with the chambers and dwellings of lawyers; and here the Marlays, the Tisdalls, and Singletons, and other stars in the legal firmament, were consulted by deferential attorneys, perused the knotty volumes of the Reports, and earned applause, or made fortunes. If we may judge from the Law Reports that survive, the business of the Bar was well done; the causes seem to have been well argued, and points of law to have been thoroughly discussed; and we occasionally find much neatness and even elegance of expression. The age of what is called Irish eloquence, the results of a stormier time, had not arrived; but something of the purity and grace of style conspicuous in the works of Berkeley and Goldsmith, had found its way into the Irish Forum; and tradition records that Anthony Malone was not inferior to William Murray in correctness and felicity of diction. Yet the evidence of Reports

may be deceptive; and though the Irish Bar of those days undoubtedly contained illustrious names, the average education and quality of its members do not seem to have been very high. Complaints abound in contemporary letters, and even in formal legal treatises, of the extravagance and idleness, of the drunkenness and vice, too prevalent among Irish lawyers; and we have ourselves seen a Grand Jury minute, that a Chief Baron of this period was, as usual, 'in a state of intoxication.' Indeed, though a few great lawyers appeared in almost every generation, it was hardly possible that the legal profession could attain a standard of general excellence in the disordered state of Irish society.

The next Chancellor of Ireland was one of the most remarkable men on whom the dignity has devolved. Lord Clare was born in 1749, the second son of John Fitzgibbon, a hardworking member of the Irish Bar, who amassed a considerable fortune by penurious thrift and professional industry. The boy gave promise at an early age of an imperious temper and of fine parts, and he was brought up to scorn the Irish Catholic, his father, who had conformed to Protestantism, being a more than usually zealous convert. Young Fitzgibbon distinguished himself greatly at college, and was called to the Irish Bar in 1772, where he rose quickly and had large practice, the wealth he inherited in no wise deadening his resolute energy and eager ambition. He became in 1780, one of the representatives of the University of Dublin, and flung himself with ardour into the patriotic movement for the Parliamentary independence of Ireland, which proved successful in 1782. His proud, stern, yet handsome figure stands out prominently in old prints commemorating the meetings of the Volunteers; and at this time he was esteemed and respected by Charlemont, Grattan, and the chief Irish Whigs. Indeed, when the Coalition was in power, he was made Attorney-General for Ireland at the early age of thirty-four, and for some months he co-operated zealously with Fox in his enlightened Irish policy. Keen-sighted, however, and without scruples—'beware of that young man,' it had been remarked to Grattan—Fitzgibbon saw when the favourable time had come for a legal 'Thane' to 'fly;' he carried into the camp of Pitt audacity, vigour, and a malevolent tongue; and when Pitt became minister, the Irish Attorney-General continued in office.

During the next five years Fitzgibbon was the master spirit of the Irish Government at the Council Board and in College-Green; and if his effrontery was without shame, his talents were commanding and brilliant. At this juncture the system of ruling the liberated Parliament by open corruption and the high hand was in full vigour; and the salaried patriot lavished patronage, defended jobbing of the worst kinds, and denounced his former political friends with unremitting zeal and rare ability. Though his style of speaking was rude and coarse, he was a cool and formidable debater; the force of his overbearing disposition swayed the Administration and Opposition; and if he was a political bravo, if he often lowered the dignity of his office by violence and opprobrious language, he was at least as daring in act as in word, and fearless in every turn of politics. For such services, and also because, unlike Thurlow, he had stuck to Pitt during the critical period of the Regency debates, Fitzgibbon was elevated in 1789 to the rank of Lord Chancellor of Ireland; and, singular as had been his training, he was not, in one sense, unfit for the office. He really was a very able judge; and though he was supercilious to the Bar, and his harsh arrogance occasionally broke out, his clear, penetrating, and masculine intellect enabled him to become an adept in Equity. This was the most brilliant period of the Irish Bar, for a singular combination of circumstances had raised the position of the profession, and had thrown on it a lustre of fame it never possessed before or since; yet in point of talent its recognised head was not inferior to any of its members. Fitzgibbon, having been made Earl of Clare, presided in the Irish House of Lords until its extinction at the Union, and exhibited in that Assembly the peculiar qualities which made him conspicuous in the House of Commons. His speech in favor of the Union, indeed, is a model of insolence, yet of sound argument; and if he browbeat and sneered at the Irish Peers, as the low-born offspring of Cromwellian settlers whose very existence depended on England, he demonstrated that the well-being of Ireland was bound up with the British connexion. When Chancellor, as when Attorney-General, Lord Clare was almost supreme at the Castle; and, during the dark and disastrous period which witnessed the rise of the United Irishmen and the rebellion of 1798, he was, we regret to say, the inflexible advocate of an indiscriminating policy of coercion. He made himself especially conspicuous by his denunciation of the Irish Catholics; and his ferocity disgusted the humane Cornwallis, and even shocked the cool-headed Castlereagh. Lord Clare hardly outlived the Union; having first, however, completely failed in the English House of Lords, where he tried in vain to domineer as he had done in Ireland, and he died ne-

glected and generally detested. He was a coarse-minded and even a bad man, yet he had a strong character and great gifts, and tradition records that he could be a warm friend as well as an implacable enemy.

We have no space to notice at length the Irish Chancellors after the Union. During the generation which followed that event, Ireland was in a state of political torpor, broken only by remitting agitation, and, save for an interval of a few months, was bound in the chains of Tory misgovernment. The rebellion of 1798 and the reaction against the French Revolution, had checked the progress of liberal ideas; the hopes of Catholic Ireland had been prostrated by the obstinacy of George III. and the concession of Mr. Pitt; and darkness gathered over the ill-fated land which for a season had rejoiced in hope. The administration of the country fell into the hands of the Orange oligarchy —the legitimate descendants of the ancient colonists who had never amalgamated with the nation; a sectarian faction ruled at the Castle, and the Governments of the Percevals and Liverpools, distracted by the perils of the war, and alarmed at the attitude of the people, had no policy but that of relying on the Protestant garrison to keep down the Catholics. A change for the better certainly began during the Lord-lieutenancy of Lord Wellesley; but even that illustrious statesman was unable to extirpate Protestant ascendency, and it was reserved for a more fortunate time to accomplish that tardy measure of justice. With one exception, of which we shall say a word, the Irish Chancellors of this period reflected the harshness and sectarian prejudices which characterised the whole system of government. Lord Redesdale, who succeeded Lord Clare, though in no sense a great jurist—he was fond of sneering at Lord Mansfield, whose genius he was unable to comprehend—was a consummate lawyer of the Eldon type; and he presided in the Irish Court of Chancery for some years with very high credit. Yet this worthy and really amiable man was as violent a fanatic as Lord Clare; he was a mere instrument for an Orange junta; and he has left on record his deliberate opinion that Popery was the sole evil in Ireland, and that what she required was a second Cromwell. Lord Manners, who held the Irish Seals for the long period of twenty-two years, from 1807 to 1827, could not be compared to Lord Redesdale in law; but in politics he was a fitting parallel with more plausibility and less vigour; and his system of sectarian favouritism at the Bar and in the appointment of Justices of the Peace is unhappily not yet wholly forgotten. Men such as these, representing faithfully the false and mischievous views of their party, only added fuel to the animosities of Ireland; nor can we wonder that, being what they were, they have left disagreeable memories behind. One Chancellor, however, of these days, stands out in distinctive and honourable contrast. George Ponsonby, the friend of Grattan and Charlemont, one of the purest patriots of the Irish Parliament, and afterwards leader of the Whig Opposition, received the Irish Seals in 1806; and, during the short ministry of 'All the Talents,' won golden opinions for his impartiality and liberal conduct in his high office. Let us add, however, that in this he was only true to the family character; the house of Bessborough has at all times deserved respect and esteem in Ireland.

The successor of Lord Manners was Sir Anthony Hart, who held the Irish Seals for three years only. Sir Anthony was an able lawyer and an honourable and high-minded man, but there is nothing remarkable in his judicial career, except perhaps that he gave little countenance to the pretensions of the Orange magistracy. It had been expected, when the break-up of the Liverpool administration placed Canning in office, that Plunket would have become Chancellor of Ireland; but owing to the jealousy of George IV., the illustrious advocate of the Catholic claims was nominated to the Rolls in England, although he never sate in that Court, the English Bar resenting what it thought the intrusion of a stranger from an alien forum. In 1830, when he came into power, Lord Grey did tardy justice to Plunket, who had been vegetating since 1827 as Chief of the Irish Common Pleas; and the great orator, having been made Chancellor, continued in office until 1841, except for an interval of a few months. During this era of memorable change, the Irish Government endeavoured to give effect to the noble measure of justice by which at last the gates of the Constitution were thrown open to Catholic Ireland, and her people became in a true sense citizens for the first time in her unhappy history. The system of ruling the country through a faction, of giving an oligarchy of sect a monopoly of influence, of treating the Irish as a subject race, was wholly and for ever abolished; and though much remained yet to be done, Protestant ascendency at least received its death-blow. Plunket, as a member of the Executive at the Castle, took part in this great social revolution; but age and infirmities had lessened his powers, nor can it be said that as an Equity Judge he added to his previous reputation. We shall not dwell on the life of

this eminent man, for we reviewed it not long ago;* and an interesting account of his career has been published by one of his grandsons, who has already shown to the House of Commons that he inherits some of his ancestor's gifts, though we regret to say they have been displayed from the benches of the reactionary party. The characteristics of Lord Plunket—he was raised to the Peerage in 1827—may be set forth in a few sentences. In politics he was a disciple of Burke, and a Whig of that sober, thoughtful school; and accordingly in his Parliamentary career he adhered to the party of Lord Grenville, denounced Napoleon and the French Revolution, disliked the excesses of English Radicalism, and advocated on high Constitutional grounds—as required by the principles of 1688 interpreted in their true meaning—the concession of the Catholic claims. As a lawyer he was not very great, though his reasoning powers were of the finest kind; nor was he distinguished as a judge, though he discharged creditably the duties of his office. His eloquence is his true title to renown; his speeches on the Catholic question are the best ever made upon the subject considered from an Imperial point of view; and in closeness of reasoning, power of statement, convincing force, and dry, hard sarcasm, he has not been surpassed in the British Senate.

Mr. O'Flanagan's volumes do not extend beyond the Chancellorship of Lord Plunket, and we have no wish to overpass these limits. In looking back at the long series of distinguished names we have been considering, one reflection, we think, must strike the mind. Some of these Chancellors were good men, with a fine natural sense of right; many were richly endowed with intellect; all were placed in an eminent position from which, it might be supposed, they ought to have seen the fitting course of our Irish policy. Yet with rare and not very important exceptions, they identified themselves with an odious system of conquest, misgovernment, oppression, and proscription; they sided with the colonists of the Pale in their cruel strife with the Celtic tribes; they seconded Tudor and Stuart ambition; they believed that Christianity was promoted by a state of society in which a sect was encouraged to trample a nation down; they obliterated studiously the forms of life and usages congenial to Irish instincts; they were stanch friends of Protestant ascendency; they saw in the Irish people a degraded race, pariahs in the midst of a superior caste, whose mission it was to subdue and civilise. The reason of this great moral perversion was that they belonged usually to the conquering race; and they were compelled from the nature of their office to promote measures of wrong and severity, and to administer laws which, viewed as a whole, enthroned injustice in the very seat of equity. Yet they were not sinners beyond others; for this unhappy tone of opinion, until a comparatively recent period, pervaded the whole of the Government of Ireland; and it especially characterised the whole Judicial Bench, which, until the beginning of this century, was but too instinct with the evil spirit of the ascendency of class and religious exclusion. The Bar of Ireland, more within reach of popular and improving influences, felt the approach of a better time sooner; and, since the days of Curran at least, has proved itself on many occasions not unequal to its place in a free State; but even this body was too long an example of the unhappy misrule which sacrificed a people to a caste and a creed. Those who feel astonished that the Irish have no affection for the English name will do well to recollect these facts. It is not long since the Irish race knew English law and its representative only as emblems and signs of injustice; and a nation needs time to unlearn its history. The appointment of the distinguished person who is now the Keeper of the Irish Seals—esteemed by Irishmen of all parties, and the first of the race and faith of the people to whom the office has been intrusted—will, we trust, tend to lessen antipathies, deplorable indeed, but not difficult to comprehend.

* Edin. Rev. July, 1867.

Art. III.—1. *Songs before Sunrise.* By Algernon Charles Swinburne. London: 1871.

2. *Poems and Ballads.* By A. C. Swinburne. London: 1866.

3. *Notes on Poems and Reviews.* By A. C. Swinburne. London: 1866.

4. *Chastelard: a Tragedy.* By A. C. Swinburne. London: 1865.

5. *The Queen Mother. Rosamond. Two Plays.* By A. C. Swinburne. London: 1860.

In noticing Mr. Swinburne's 'Atalanta in Calydon' we paid a merited tribute to the lyrical and descriptive power which parts of the poem displayed. While doing this we at the same time pointed out some striking defects both of substance and form which marred the execution of the work, and seriously interfered with its unity, complete-

ness, and poetical effect. These were its perverted moral perceptions, harsh and violent religious spirit, even from the Greek point of view, unpruned exuberance of language and imagery, want of definiteness in the conceptions, and of fresh and living interest in the motives and management of the story. In a word, there was a marked poverty of the ethical and reflective element, combined with a wild luxuriance of merely metrical diction, an obscurity of thought and expression, a monotony of emotional and rythmical effect that, if uncorrected, would exclude the author from any high or permanent place even among contemporary poets. During the interval that has elapsed since the publication of this drama, Mr. Swinburne has produced two volumes of collected poems, besides an historical tragedy and occasional pieces of considerable length. We have thus ample materials for judging how far Mr. Swinburne's maturer poems fulfil the better promise of his earlier work. It is hardly necessary to state at any length the result, for it is unhappily but too notorious. In his later volumes all the vices of his earlier thought, and feeling, and style not only reappear, but reappear in an intensified and malignant form. This, moreover, is not the worst. The later writings are marked by new features, so coarse, repulsive, and utterly unpoetical, that they must of necessity prevent the writer from being numbered or named amongst the poets whose genius has been fruitfully employed for the delight and instruction of mankind. These features are, it is well known, a feverish sensuality sinking at times into the lowest depths of obscenity, and, as the speculative reflex of this, a passion for blasphemy, for reviling the higher powers and laws of the universe, so violent, bitter, and envenomed as very much to defeat its own object. It is not a very grateful task to dwell on these peculiarities, but in the higher interest of literature it is necessary that they should be at least signalised and exposed. This is the more desirable as in the new volumes there is no falling off in the writer's old power. He shows the same mastery over certain materials and departments of his art. Many of the new poems evince the same wonderful sense of melody, the metrical beauty of some being extreme. As mere verbal music several of the lyrics in 'Poems and Ballads' are almost perfect, such, for example as 'The Match,' 'The Garden of Proserpine,' and 'The Sundew.' These and some others are moreover simple, expressive, and complete in feeling as well as in form. But in relation to much that the volume contains these songs are like sweet flowers on a dunghill, precious gems amongst sordid and venomous refuse, or points of tender light above the gloom and horror of corruption and decay. This is particularly true of the beautiful little song entitled 'The Match,' which is placed between two pieces that, although full of the writer's peculiar power, could not be quoted out of Holywell Street, and are even worse in what they suggest than in what they express. In both volumes there are, moreover, characteristic illustrations of the rich and vivid descriptive power which appears so conspicuously in 'Atalanta.' The last volume, 'Songs before Sunrise,' displays in addition a certain faculty of musical thought, or rather of stating large abstract conceptions in a lyrical form, which the author had not previously evinced, at least in equal strength, definiteness, and persistency. A writer who employs gifts of this order for vicious ends may succeed in doing considerable injury, especially amongst the young, the thoughtless, and the ignorant. The glorification of sensual appetites and sensual indulgences as the highest exercises and elements of human nature may find a dangerous response in the ill-governed hey-day of youthful blood, while the daring proclamation of principles subversive of domestic life, social order, and settled government, may from its very boldness and novelty have a disastrous fascination for excitable but weak and unbalanced natures. It is not unlikely, indeed, that Mr. Swinburne's crude but highly-seasoned hashes of old impieties may even be regarded as a new Evangel by credulous and wondering disciples. But, apart from these, there is much in Mr. Swinburne's writing to attract students of a higher type who may be at the same time raw in experience and unripe in judgment. Open, sympathetic, and generous natures, thirsting to enjoy everything that is fresh and stimulating in literature, and anxious to enrich their minds from all legitimate sources, would welcome Mr. Swinburne's lighter, descriptive, and lyrical pieces; and would naturally be disposed therefore to believe that the obscure conceptions and suggestions of his more serious and passionate moods might embody profound truths and valuable experiences, the result of earnest meditation and matured thought. Those who are not accustomed to look carefully into the operative principles and pervading motives of a poet's work may easily be mistaken as to its real drift and deeper meaning. And while we quite acquit Mr. Swinburne of being intentionally obscure, he nevertheless often is so, and many of the oracular utterances of his later volumes will not be intelligible to half his readers. It will be a ser-

vice, therefore, to them if we attempt to point out and illustrate in some detail the leading principles of Mr. Swinburne's muse as exemplified in the main body of his recent poetry.

Although we are by no means indifferent to moral considerations, it is on literary and artistic rather than on moral grounds that we purpose judging Mr. Swinburne and his latest work. This is the standard by which he himself claims to be tried; and we are quite willing to admit the claim, and accept the challenge he gives to his critics. In the last paragraph of his published defence of perhaps the least defensible part of his writings, he speaks as follows:—

'When England has again such a school of poetry, so headed and so followed, as she has had at least twice before, or as France has now; when all higher forms of the various art are included within the larger limits of a stronger race; then, if such a day should ever rise or return upon us, it will be once more remembered that the office of adult art is neither puerile nor feminine, but virile; that its purity is not that of the cloister or the harem; that all things are good in its sight out of which good work may be produced. Then the press will be as impotent as the pulpit to dictate the laws and remove the landmarks of art; and those will be laughed at who demand from one thing the qualities of another—who seek for sermons in sonnets and morality in music. Then all accepted work will be noble and chaste in the wider masculine sense, not truncated and curtailed, but outspoken and full-grown; art will be pure by instinct and fruitful by nature; no clipped and forced growth of unhealthy heat and unnatural air; all baseness and all triviality will fall off from it, and be forgotten; and no one will then need to assert, in defence of work done for the work's sake, the simple laws of his art, which no one will then be permitted to impugn.'

Here Mr. Swinburne admits that poetry has its laws and landmarks, its guiding principles in the selection and use of its materials, its higher and lower forms; and he lays it down that the higher forms—all legitimate forms, indeed—will be noble and chaste in the wider masculine sense, pure by instinct and fruitful by nature, no forced growth of unhealthy heat and unnatural air, and free from all baseness and triviality. On this ground we join issue with Mr. Swinburne, our main objection to his work being, that in several vital respects it reverses the laws and removes the landmarks of the grand poetical art, that much of it is not virile, or even feminine, but epicene; and, that so far from being chaste or noble in the masculine or in any other sense, it is impure and base to a degree unparalleled in English literature. Happily there is a poetical art, with laws and principles of its own, to which appeal may be made. 'Not the mere prosody of a verse,' to adopt Milton's language, 'but that sublime art which in Aristotle's poetics, in Horace, and the Italian commentaries of Castelvetro, Tasso, Mazzoni, and others, teaches what the laws are of a true epic poem, what of a dramatic, what of a lyric, what decorum is, which is the grand masterpiece to observe.' He goes on to add that those instructed in this sublime art 'would soon perceive what despicable creatures our common rhymers and play-makers be, and understand what religious, what glorious, and magnificent use might be made of poetry both in divine and human things.' It is something to have a writer like Mr. Swinburne admitting the existence of such an art, although to judge from his practice its laws are recognised only to be broken. At all events the only laws he observes with any uniformity are the external mechanical ones—those of versification. In all other and higher respects, in choice of subject, in strength and dignity of poetical conception, in elevation of feeling, and the imaginative forms through which the nobler passions are expressed, in the strict subordination of parts to the whole, and the temperance of diction and imagery essential to unity of poetical effect, he is utterly deficient. What Milton terms decorum, which is the masterpiece to observe, is habitually violated in the most flagrant manner throughout his writings. Decorum, in this sense, refers to the subject chosen, and especially to the method of treatment, and by calling it the masterpiece, Milton means to intimate that the subject chosen being a noble action, passion, or emotion as the poem is epic, dramatic, or lyrical, the poet must rigidly observe the vital laws of proportion, the mingled pregnancy and reserve of poetical expression, which artistic unity and completeness of construction and effect imperatively require. Now, as we shall presently see, in most of Mr. Swinburne's longer poems, there is hardly any trace of internal organisation at all. They are molluscous rather than vertebrate; and the few that seem to spring from a germ, and have their form determined by an internal principle of life, are heated fungoid growths, rather than sweet herbs, strong well-proportioned trees, or graceful flowers. With all his admiration for the ancients, and especially for the Greeks, the central principle of their plastic and poetical art embodied in the word '*σωφροσύνη*' seems to have no place in Mr. Swinburne's mind. Judging from the result, indeed, it would almost seem as though having made an unholy compact with his

evil genius, he had read this central precept of the poet's creed backwards; in other words, had assiduously studied what 'indecorum' is as the great model to observe. In his reaction against all laws human and divine, Mr. Swinburne has, in fact, revolted from the primary conditions of higher excellence in his own art. If the main characteristics of his writings were to be summed up in a single word, it would be lawlessness or license, or rather, since these terms express an energy of volition which the weak and violent temper, the febrile vehemence and impetuosity, exhibited in the poems hardly justify, incontinence would perhaps be the most appropriate word. They are incontinent in the use of strained and violent language, incontinent in hot and garish imagery, incontinent in verbal tricks, mannerisms, and conceits, incontinent in sweet but cloying melodies, incontinent, not only in the details of licentious indulgence, but in loathsome allusions to morbid letches, incontinent in denouncing all seemly social observances, all recognised moral restrictions. Mr. Swinburne's muse is, indeed, in the fullest sense, naked and not ashamed, destitute of any natural sense of reverence or respect, indulging in voluble abuse of the decencies of life and hysterical admiration for things essentially contemptible and base.

We must, however, pass on to a more detailed examination of Mr. Swinburne's work. This will supply abundantly the evidence on which the general verdict we have pronounced rests. The first point to be considered is the choice of subject, and this, according to the unanimous judgment of the highest authorities—poets as well as critics—is the most important point of all. Mr. Swinburne, indeed, in the defence we have quoted, appears to make light of this vital consideration. He suggests that all things are good in the sight of art out of which good work may be produced. But this statement is obviously too general to be of any use or relevancy in the discussion. Swift wrote a poem largely occupied with the lower functions of nature, and the work is very good of its kind, but the verses will never cease to be disgusting from the subject. And no one entitled to speak will maintain for a moment that all subjects, whether beautiful or ugly, pure or impure, noble or vile, loathsome or attractive, are equally suitable for art. Mr. Swinburne himself abandons this ground, and virtually maintains that the different kinds of poetry are determined as higher or lower by their choice of subject. He complains that the poetry of the day is too much restricted to one class of topics, one level of experience, and to the poetical form through which this common level of experience finds its natural and most appropriate expression.

'With English versifiers now, the idyllic form is alone the fashion. The one great and prosperous poet of the time has given out the tune, and the hoarser choir has taken it up. His highest lyrical work remains unimitated, being in the main inimitable. But the trick of tone which suits an idyl is easier to assume; and the note has been struck so often that the shrillest songsters can affect to catch it up. . . . . I shall not be hounded into emulation of other men's work by the baying of unabashed beagles. There are those with whom I do not wish to share the praise of their praisers. I am content to abide a far different judgment:—

"I write as others wrote,
On Sunium's height."

I need not be over-careful to justify my ways in other men's eyes; it is enough for me that they also work after their kind, and earn the suffrage, as they labour after the law, of their own people. The idyllic form is best for domestic and pastoral poetry. It is naturally on a lower level than that of tragic or lyric verse. Its gentle and maidenly lips are somewhat narrow for the stream, and somewhat cold for the fire of song. It is very fit for the sole diet of girls; not very fit for the sole sustenance of men.'

Now the main subject of domestic and pastoral poetry is love in its milder and more equable manifestations. And Mr. Swinburne intimates that such a subject is unfit for the higher level of tragic and lyrical verse. The idyllic form may be all very well for the gentle pains and pleasures, smiles and tears, of the tender passion, but Mr. Swinburne, leaving the idyl-mongers to work at their humble trade amongst their own people, betakes himself to the higher level, resolving to write as others wrote on Sunium's height, and produce sustenance for men instead of food for girls. What subjects does he choose for this purpose? As we have seen, he virtually renounces the passion of love. What other great primary affections of our nature does he select instead of the discarded theme? Are ambition, jealousy, or revenge chosen as fitter for development through the higher poetical forms he attempts? The answer to this question derived from an examination of his poems is simple enough. It turns out that he chooses the same general subject as the idyl-mongers, and differs from them only in restricting himself to its corrupt, depraved, and illegitimate aspects. He simply deals with the animal side of the passion—with lust instead of love—with the sensual appetite instead of the strong and pure spiritual feeling. And in handling this repulsive topic he lavishes the whole wealth of his

imagination on its physical aspects and influences, rather than its mental elements, its internal working, and moral results. This is in all respects a fatal choice, so far as good or noble work is concerned. No music of language, no splendour of imagination, can ever make that fair and attractive which is intrinsically vile and even horrible. And were Mr. Swinburne an archangel he would be predestined to eternal failure in such an attempt. It may indeed be a question—and it is an old question in criticism—whether the passion of love affords in itself the most suitable materials for a tragedy. But however this may be, it is beyond question that no amount of literary alchemy can ever extract the materials of a great tragedy or a great lyric out of the carnal details of mere lust. Yet these things constitute the substance of Mr. Swinburne's leading tragedies and lyrics. Take 'Chastelard' for example. The mere action of the drama is slight and trivial in the extreme. A weak nature, deluded by Mary's amorous wiles, and enamoured of her throat and lips and brows, breaks into her bedchamber on the night of her marriage with Darnley, is seized and imprisoned, subsequently liberated, but, after a second offence of a like kind, condemned and executed, Mary herself, under a perfidious show of pity, hastening his end. Of characters, again, there are, strictly speaking, none in the drama. The writer only attempts to delineate the two leading persons of the play, and this is done in the most superficial manner, chiefly by the repetition of external characteristics. The so-called tragedy, indeed, largely consists of elaborate descriptions of the bodily features and movement provocative of desire, with the animal feelings and wanton toyings they produce. Mary, 'Queen of Snakes and Scots,' illustrates the active side of lust, its ungovernable caprice and heartless cruelty; Chastelard the more passive, insensate, and permanent influence of the same feeling. There is hardly a trace of the genuine passion of love in 'Chastelard.' He is enamoured of Mary's person, apart altogether from her qualities of mind and heart; and the revelation of her real character does not therefore in the least degree affect his feeling towards her—does not touch, in fact, the object of his passion. The discovery that she is utterly treacherous and corrupt fails to abate his devotion, her throat being still as white, her lips as red, and her hair as rich and soft as before. Here is the description he gives, in the first act, of the points in Mary's person that had attracted him :—

'She hath fair eyes: may be
I love her for sweet eyes or brows or hair,
For the smooth temples, where God touching her
Made blue with sweeter veins the flower-sweet white;
Or for the tender turning of her wrist,
Or marriage of the eyelid with the cheek;
I cannot tell; or flush of lifting throat;
I know not if the colour get a name
This side of heaven—no man knows; or her mouth,
A flower's lip with a snake's lip, stinging sweet,
And sweet to sting with: face that one would see
And then fall blind and die with sight of it
Held fast between the eyelids—oh, all these
And all her body and the soul to that,
The speech and shape and hand and foot and heart
That I would die of—yea, her name that turns
My face to fire being written.'

Here the soul and heart are barely mentioned, thrown in, as it were, amidst the enumeration of physical characteristics, as things that help to give colour to the lips and brightness to the eyes. He does not afterwards refer to mind or character, to any mental feature or moral quality, in summing up what is supreme in his regard. He gives, at least, two such summaries in later scenes of the play, and on each occasion in the immediate prospect of death, within an hour or so, as he imagines, of his doom. On the night on which he breaks into the queen's bridal-chamber and surprises her at her toilet-table, he says :—

'"Always in my sight I had your lips
Curled over, red and sweet; and the soft space
Of carven brows, and splendour of great throat
Swayed lily-wise; what pleasure should one have
To wind his arms about a lesser love?
. . . . . Ah, you see now,
You know now well enough; yea, there, sweet love,
Let me kiss there."

QUEEN.

"I love you best of them.
Clasp me quite round till your lips cleave on mine.
. . . . . .
Oh, I do love you more than all men! yea,
Take my lips to you, close mine eyes up fast,
So you leave hold a little; there, for pity,
Abide now, and to-morrow come to me.
Nay, lest one see red kisses in my throat—
Dear God! what shall I give you to be gone?"

CHASTELARD.

"Let me twice more. This beautiful bowed head,
That has such hair with kissing ripples in,
And shivering soft eyelashes and brows
With fluttered blood!"'

What intensifies the revolting character of

this scene, is, that he knows perfectly well all through that Mary is playing false, is, in fact, utterly indifferent to him except for the momentary gratification of a wanton appetite; and that with this knowledge he seeks, and risks his life to secure, those mere personal favours which, under such circumstances, a great and noble nature would instinctively loathe and shun as the last extreme of degradation and dishonour. Again, in prison, within an hour or two of his execution, Chastelard soliloquises on his fate as follows:—

'Her face will float with heavy scents of hair
And fire of subtle amorous eyes, and lips
More hot than wine, full of sweet wicked words,
Babbled against mine own lips, and long hands
Spread out, and pale bright throat and pale bright breasts,
Fit to make all men mad. I do believe
This fire shall never quite burn out to the ash,
And leave no heat and flame upon my dust
For witness where a man's heart was burnt up.
For all Christ's work this Venus is not quelled,
But reddens at the mouth with blood of men,
Sucking between small teeth the sap o' the veins,
Dabbling with death her little tender lips—
A bitter beauty, poisonous-pearlèd mouth.
I am not fit to live but for love's sake,
So I were best die shortly. Ah, fair love,
Fair, fearful Venus, made of deadly foam,
I shall escape you somehow with my death—
Your splendid supple body, and mouth on fire,
And Paphian breath that bites the lips with heat.'

'Chastelard' is Mr. Swinburne's greatest performance in the way of tragedy, and so far as the higher and more essential elements of tragic interest are concerned, it is a complete failure. The action, in everything save the catastrophe, is trivial, almost contemptible; the characters weak and uninteresting from the mere monotony of mindless indulgence and excess. There may possibly be natures effeminate enough to be passively extinguished by a morbid craving for the sensuous enjoyment of a worthless object, but they are certainly not the stuff out of which tragedies are made.

An earlier tragedy of Mr. Swineburne's entitled 'Rosamond' is essentially of the same type, and marked by the same features, as 'Chastelard." The four chief characters—the Queen with a lover, and her husband with a mistress, exist in both plays, only in 'Rosamond' the centre of dramatic interest is shifted from the Queen's lover to the King's mistress. In the one drama Darnley plays, in a weaker and more subordinate manner, the part of Eleanor in the other. The point in favour of 'Rosamond' as a play is that of Henry's truth—his not being, like Mary, false and cruel. The victims in the respective tragedies are of course Chastelard and Rosamond, and their characters, so far as they may be said to possess any, are substantially alike. Each is overcome of love, or rather overmastered in mind and body by the unresisted assaults of lust, and they are both described in very much the same way. As Chastelard dwells with tedious iteration on Mary's bodily features and motions, so Rosamond does on those of Henry, and being a woman, on her own personal attractions as well. In the first scene of the play, talking to Constance her attendant, Rosamond says:—

'I whose curled hair was as a strong staked net
To take the hunters and the hunt, and bind
Faces and feet and hands; a golden gin
Wherein the tawny-lidded lions fell,
Broken at ankle; I that am yet, ah yet,
And shall be till the worm hath share in me,
Fairer than love or the clean truth of God,
More sweet than sober customs of kind use
That shackle pain and 'stablish temperance;
I that have roses in my name, and make
All flowers glad to set their colour by;
I that have held a land between twin lips
And turned large England to a little kiss.'

Again, in special reference to the King:—

'Would you be wiser than I was with him?
A king to kiss the maiden from your lips,
Fill you with fire as water fills the sea,
Hands in your hair and eyes against your face;—
Ay, more than this, this need not strike at heart,
But say that love had bound you like a dog,
Leashed your loose thoughts to his uncertain feet;
Then would you be much better than such are
As leave their soul upon two alien lips,
Like a chance word of talk they use for breath?
. . . . . This I know,
When first I had his arms across my head,
And had his mouth upon my heated hair,
And his sharp kisses mixed into my blood,
I hung athirst between his hands and said,
Sweet, and so sweet! for both mine eyes were weak,
Possessed with rigorous prophecy of tears
To drench the lids past sleeping, and both lips
Stark as twain rims of a sweet cup drunk out.'

Again, in a passage intended as a kind of justification of her way of life, all honour, dignity, and respect, all the grace, modesty, and reserve of true passion, are openly thrown aside.

'I think that whoso shall unclothe his soul
Of all soft raiment coloured custom weaves,
And choose before the cushion-work of looms
Stones rough at edge to stab the tender side,
Put honour off, and patience and respect,

And veils and relics of remote esteem,
To turn quite bare into large arms of love,
God loves him better than those bitter fools
Whom ignorance makes clean, and bloodless use
Keeps colder than their dreams.'

And further on, as a kind of historical defence of her position and fate, we have from her lips the following:—

'Yea, I am found the woman in all tales,
The face caught always in the story's face;
I Helen, holding Paris by the lips,
Smote Hector through the head. I Cressida
So kissed men's mouths that they went sick or mad,
Stung right at brain with me. I Guenevere
Made my queen's eyes so precious, and my hair
Delicate with such gold in its soft ways,
And my mouth honied so for Launcelot,
Out of good things he chose his golden soul
To be the pearlwork of my treasuring hands,
And so our love foiled God; I that was these,
And am no sweeter now than Rosamond
With most full heart and mirth give my lord up
Body's due breath and soul's forefashioned peace
To pay love with.'

These extracts are all taken from a single scene of the play, and were not our readers wearied and cloyed with the subject, other passages of a similar kind might be quoted, one in particular, which runs to about ten lines, wholly occupied with a description of Rosamond's hair. Further on in the play, the King goes repeatedly over the same ground, but only in somewhat more fiery language. Throughout the whole delineation the dramatic element is of the slightest kind, and, as in 'Chastelard,' the only tragic feature is the well-known catastrophe. The drama has no distinctive characters, no continuous action, while much of the dialogue and soliloquy both in 'Chastelard' and 'Rosamond' might be transferred from the one play to the other, being occupied with the same details treated in the same way. These are the physical provocatives of ungoverned appetite, the sensual signs and bodily stimulants of loose desire. Out of such bastard elements it is, as we have said, impossible to construct a true tragedy. The elements of tragedy are moral and spiritual, not material. As the highest form of poetry it has, moreover, to do with what is great and noble, with what is most powerful and permanent in human nature, with elemental feelings, with catholic principles and passions; not with morbid cravings and monstrous appetites. And whatever passion is made the subject of tragic delineation must be dealt with primarily on its ideal side, in its moral aspects and working, not in its mere physical operations and results. The genuine passion of love, for example, working in noble natures and meeting with insurmountable obstacles, hopelessly crossed by circumstance or fate, may well afford the materials of a tragedy. But the tragedy lies in the mental anguish, in the terribly divided life, and the deepening internal conflict which death alone can terminate. 'Romeo and Juliet' is a love tragedy marked throughout not only with the perfect bloom and deathless beauty, but with the exquisite innate purity and rich idealism, of the passion. 'Antony and Cleopatra,' again, shows the working of the same passion under far more complex conditions, in natures stronger and more mature, but the greatness of the characters, and, above all, the brilliant fancy, infinitely varied charm, exhaustless intellectual resource, and indomitable spirit of the Queen, give undying interest and reality to the whole delineation. It is possible that in a great nature the mental results—the intense internal desolation—arising from the excesses even of criminal passion might furnish materials for a tragedy, at least if the subject were not too painful. But adequately to portray the sombre greatness of such a moral ruin would almost require a pencil dipped in the gloom and terror of earthquake and eclipse. Even then there might be a monotony of mere suffering that would render the subject essentially unfit for dramatic purposes. But however this may be, it is certain that a monotony of mere sensual indulgence has no dramatic element, that weak natures enamoured of mere externals supply no materials of higher tragic interest. It is for ever impossible to construct a tragedy out of the mere paddling of hot palms and brutal interchange of lascivious bites and bruises.

The same principle of art applies to Mr. Swinburne's lyrics. The more celebrated of these, and especially the longer ones in 'Poems and Ballads,' are occupied with the same subjects as the tragedies, and come, in a still more sweeping manner, under the same critical condemnation. The keynote of the whole is struck in the first poem of the volume, where Lust is represented as saying, 'I am Love.' The general character of these pieces is, however, so well known, and they have been visited with such just and unanimous critical censure, that it is happily needless to illustrate this point in extended detail. It is enough to say that throughout these poems virtue is represented as contemptible, while vice is raised to the highest pinnacle of honour. Sensual enjoyment is depicted as

the crown of life, the only worthy object of hope, ambition, and desire, of strenuous effort and continuous pursuit. Often, too, the enjoyment thus glorified is not only sensual but of a momentary and grossly animal kind. The whole universe is ideally impoverished to aggrandise the value of such enjoyment. All its highest symbols of grace and favour, worth and dignity, power and achievement, permanence, grandeur, and renown, are accumulated only to be rejected with triumphant scorn, for the sake of a temporary sensual indulgence. Reason, conscience, and religion, justice and temperance, purity and truth, the most sacred relationships, the very bonds of society, name and fame, life and death, time and eternity, heaven and hell, are as the dust of the balance in comparison with burning tresses, blinding eyes, curled eyelids, bruising intertwisted lips, insatiate mouth, hard sweet kisses, fleece-white shoulders, flower-soft fingers, fierce lithe hands, winding arms, bright bosoms strained and bare, straight soft flanks, slender feet, quivering blood, fierce midnights, and famishing to-morrows. These subjects represent in Mr. Swinburne's pages the very carnival of criminal riot and delirious confusion. Faithful to the compact with his evil genius, he seems to have read backwards the first principles of noble and honourable living, the highest truths of enlightened experience, the profoundest maxims of the wise and good in every age, as well as the supreme moral precepts of Holy Writ. 'What shall it profit a man,' he virtually says, 'if he gain the whole world and lose a momentary sensual enjoyment; or what shall a man give in exchange for such an enjoyment?' The answer to this question in Mr. Swinburne's poems is explicit enough. Thus in one of the earliest poems of the volume, a Christian knight who had broken his vows and renounced his faith through the allurements of a wanton, goes to Rome in a fit of penitence for absolution, but on his return having again relapsed, he says:—

'And I forgot fear and all weary things,
All ended prayers and perished thanksgivings,
Feeling her face with all her eager hair
Cleave to me, clinging as a fire that clings

'To the body and to the raiment, burning them;
As after death I know that such-like flame
Shall cleave to me for ever; yea, what care,
Albeit I burn then, having felt the same?

'Ah, love! there is no better life than this;
To have known love, how bitter a thing it is,
And afterward be cast out of God's sight!'

In the same way, Chastelard, in the immediate prospect of death, gives utterance to a like sentiment:—

'Now, if God would,
Doubtless He might take pity on my soul
To give me three clear hours, and then red hell
Snare me for ever: this were merciful:

If I were God now I should do thus much.
I must die next, and this were not so hard
For Him to let me eat sweet fruit, and die
With my lips sweet from it.'

Rosamond, in a passage already quoted, gives utterance to the same sentiment, and it reappears again and again in the 'Poems and Ballads.' Perhaps, however, the most extreme illustration the volume affords of this deliberate bartering of Heaven for a momentary pleasure of a horrible kind is to be found in the intensely revolting piece entitled 'Les Noyades.' The story well exemplifies Mr. Swinburne's instinct for a morally repulsive subject. It is derived from the unspeakable atrocities perpetrated during the early years of the French Revolution by the infamous Carrier when he acted as agent for the Convention in the provinces. Before this wretch sitting in mockery on the tribunal of justice—

'They brought on a day to his judgment-place
One rough with labour and red with fight,
And a lady noble by name and face,
Faultless, a maiden, wonderful, white.'

The boor had long indulged a hopeless passion for the lady who regarded him with disgust and horror. They were condemned to be stripped, bound together and thrown into the sea. On this judgment being pronounced, we have from the lips of the ruffian half a dozen verses of blasphemy, thanksgiving, and prayer, of which the following may serve as a specimen:—

'"Lord, if I loved thee—Lord, if I served—
If these who darkened thy fair Son's face
I fought with, sparing not one, nor swerved
A hand's breadth, Lord, in the perilous place—

'"I pray thee, say to this man, O Lord,
Sit thou for him at my feet on a throne.
I will face thy wrath, though it bite as a sword,
And my soul shall burn for his soul, and atone.

'"For Lord, thou knowest, O God most wise!
How gracious on earth were his deeds toward me;
Shall this be a small thing in thine eyes,
That is greater in mine than the whole great sea?"'

He then turns to the lady, and after describing what is to happen, concludes with this verse:—

'"But you would have felt my soul in a kiss,
And known that once if I loved you well;
And I would have given my soul for this,
To burn for ever in burning hell."'

Here we have one nominally fighting for Christianity, willing to barter his soul for momentary contact of a forced and penal kind with the person of a lady that abhors him, and exulting in the prospect. This is the kind of nameless abomination which Mr. Swinburne delights to glorify, and the glorification of which some of his admirers have, we believe, eulogised as a triumph of pure taste and refined feeling. All we have to say on the matter is that this and many other lyrics and ballads in the volume are smitten through and through with a deadly moral leprosy that would justly make any poetry, however beautiful in form, an object of loathing and disgust.

The next point to be specially considered is Mr. Swinburne's method of dealing with the subjects he selects as those best fitted for the higher purposes of his art. This has been already incidentally touched upon in noticing the tragedies, their slight texture and thin substance making it almost impossible to separate the matter from the manner. But it is necessary to dwell a little on Mr. Swinburne's mode of treatment in order to bring out more fully his radically false conception of art, as well as to explain his complete failure in the higher walks of poetry he has attempted. There is, however, it need scarcely be said, an intimate connexion between matter and manner. The subjects chosen by Mr. Swinburne being essentially unpoetical, amorphous, indeed, do not admit of much in the way of definite outline or firm handling, of consistent development or constructive unity. With such subjects laxity of articulation, looseness of execution, are almost inevitable results. From a necessity of nature the poems must, in fact, be æsthetically as well as morally dissolute. We find accordingly that his poetical method is as impure as the subjects chosen are coarse and ideally chaotic. If such a thing were possible, his style of treatment is still more illegitimate on artistic than on ethical grounds. We have already illustrated this in relation to the tragedies. But the lyric has also laws and principles of its own, which must be observed if the work is to be good of its kind. It must have, for example, an internal unity if not of thought, or action, or scene, at least of spirit and feeling, and this vital unity must be reflected in an answering perfection of form. But Mr. Swinburne's longer and more important lyrics have no vital centre, no internal unity, and as a natural result no articulation at all. They are, as we have said, molluscous, spongy, sprawling, sucking in with tentacular convulsions whatever chance throws in their way, and expanding in mere bulk of shapeless structure by the process. The true and perfect lyric springs from an internal principle of life into the exquisite proportions and completeness of a finally organised and beautiful whole. But in most of Mr. Swinburne's longer lyrics such as 'The Triumph of Life,' 'Dolores,' and 'Félice,' the verses seem to follow each other by a kind of mechanical multiplication of similar parts, the result being a heap or aggregation rather than a growth or structure. Almost the only form they possess is that imposed externally by the metrical conditions of the verse, each stanza being thus indifferently either a whole or a part. When the aggregate is examined it is found to consist in the endless multiplication of the same features, the repetition of the same images and allusions, the recurrence of the same monotonous effects. And the elements thus repeated are precisely of the kind that soonest pall upon the taste, and become not only wearisome but offensive. These lyrics are in fact a perpetual harping on one or two strings of the coarsest fibre, a mill-horse round of violent pains and pleasures, sensual ecstasies and exhaustions, with the favourite terms of blood and foam and fire, of tooth and fang and claw, in which they are expressed. It is impossible to open the book and read many lines without meeting with harsh and exaggerated descriptions of some of the physical 'points' over which a polluted imagination gloats, or of the carnal delights in which it revels. But the first shock of surprise at such details is soon exchanged for disgust at the coarseness of feeling and sterility of imagination shown in the endless iteration of the same forced but feeble phrases, strained metaphors, and trivial fancies. The writer has pet descriptions and pet similes for almost every feature and motion of the frame—the hair, the eyes, the eyelids, the mouth, the lips, the throat, the breast—and these are repeated over and over again, in most of the longer poems. The hair burns, is shed out like flame, or clings with serpentine curl; the eyelids are bruised and folded leaves or deep double shells; the eyes fervent, fierce, insatiable, blinding flames; the mouth and lips a cup or chalice filled with fire and wine, honey and poison; the breasts buds, blossoms, flowers, bruised and stained with the purple of a kiss. But the most numerous allusions and images, applied at times to all the features, to all parts of the body indeed, are those of fire and foam, ser-

pents and flowers. We will give from a single lyric an illustration of these as applied to a single feature—the mouth and lips. The writer has hit on the not very happy resemblance of curling lips to snakes, and snakes naturally suggest fangs and foam and poison, and having got hold of this really poor and hateful fancy, he is of course incontinent in the use of it. The following verses will illustrate this, and they are all taken, as we have said, not only from a single lyric but from its earliest stanzas:—

'Cold eyelids that hide like a jewel,
Hard eyes that grow soft for an hour;
The heavy white limbs, and the cruel
Red mouth like a venomous flower.'

'O lips full of lust and of laughter,
Curled snakes that are fed from my breast,
Bite hard, lest remembrance come after
And press with new lips where you pressed.'

'Could you hurt me, sweet lips, though I hurt you?
Men touch them and change in a trice
The lilies and languors of virtue
For the raptures and roses of vice.'

'Ah, beautiful passionate body
That never had ached with a heart!
On thy mouth though the kisses are bloody,
Though they sting till it shudder and smart.'

'As our kisses relax and redouble
From the lips and the foam and the fangs,
Shall no new sin be born for men's trouble,
No dream of impossible pangs?'

'By the ravenous teeth that have smitten
Through the kisses that blossom and bud,
By the lips intertwisted and bitten
Till the foam has a savour of blood.'

'All thine the new wine of desire,
The fruit of four lips as they clung
Till the hair and the eyelids took fire,
The foam of a serpentine tongue,

The froth of the serpents of pleasure,
More salt than the foam of the sea,
Now felt as a flame, now at leisure
As wine shed for me.'

The verses all occur in the first eighteen stanzas of a lyric that consists of fifty-four; and this is a fair specimen of the harsh, repulsive, and unimaginative repetitions of which the whole volume is largely made up. The same phrases, the same images, the same allusions, occur, as we have said, over and over again in the same poem—not unfrequently in the same page. We confidently ask whether any one with the least knowledge of poetry, or the least feeling for art, will venture to say that execution of this sort is artistic, is worthy of a great poet, or in fact of any poet great or small? In the first place, were the details ever so good and appropriate in themselves, the mere multiplication and repetition of them is a fatal flaw in point of art. We have already said that the great law with regard to execution is carefully to observe the mingled pregnancy and reserve of expression, and of course of expressive details also, on which unity of effect depends. This prescribes that the details selected should be significant but few, and rendered in the simplest and most vivid manner. Multiplication of needless details tends directly to defeat the poet's main purpose, which must be to convey a distinct impression to the reader's mind either of a scene, an action, or a feeling, or possibly of all together. Now the crowding of ill-discriminated, if not incompatible details prevents the realisation of this result. On the one hand, we do not see the object the writter attempts to depict by an accumulation of descriptive bits, the exaggerated prominence and intrusive repetition of the parts being fatal to a clear perception of the whole. When we attempt to realise it in imagination the picture is a blur of confused limbs and features, instead of a distinct object. On the other hand, the accumulation and repetition of such descriptive details is equally fatal to anything like unity of moral or emotional effect. The time taken up in going over fragmentary descriptions, not controlled by any central conceptions, distracts the reader's attention and dissipates his interest, even when the piece as a whole may be animated by a common sentiment, which is rarely the case. If the aim is to convey the writer's own feelings, or the feeling he wishes dramatically to express, it equally fails, for the repetition of what he regards as stimulating features and images soon becomes as wearisome as an inventory or a catalogue. This helps to explain how it is that these longer poems, though possessing striking passages and melodious lines, are still so utterly uninteresting and even unintelligible. This characteristic of his writing has, we believe, been complained of by some of Mr. Swinburne's greatest admirers, and he has himself so far recognised the truth of the complaint as to have furnished a prose key to three or four of the longer pieces. The explanation, it is true, reads very like an after-thought, and even with its help it is impossible to find the meaning assigned to them in the poems themselves. But the fact that the author has felt the necessity of explaining his most important lyrical poems is an instructive commentary on the confusion and obscurity of his conceptions, as well as on the careless and slovenly character of his work as an artist.

But, in the second place, the descriptive details in these pieces, so far from being in themselves appropriate or poetical, are of the coarsest, most inartistic, and unimaginative kind. With regard to the particulars to be employed in elaborating a work of art, the law of reserve applies, and this law is determined by the nature and end of poetry. It prescribes that the details selected and employed by the poet should be of a nature to interest and stimulate the imagination and the higher emotions, from which the art springs and to which it appeals. The more violent bodily pains and pleasures that terminate in the senses, and exhaust themselves, as it were, in the act, are thus least of all fitted for poetical or artistic use. A shriek or a swoon is so purely physical as to exclude for the moment the ideal element altogether; and the extremes of bodily suffering and bodily delight which confound themselves 'and in their triumph die,' are therefore to be used in art with the utmost reserve. But much of Mr. Swinburne's poetry is all shrieks and swoons together. It is, as we have seen, largely made up of fierce physical extremes, raptures and languors, sobs and shouts, convulsive laughter and hysterical tears. His pages are full of stinging nerves, burning veins, and thundering pulses; of physical influences and sensuous agitations that dazzle and blind, deafen and stun, torture and stupefy. No mistake could possibly be greater in point of art. Poetry must be poetical in substance as well as in form, and the crowding of these extreme physical effects into metrical lines has about the same relation to poetry that the puffs and screams of a railway whistle have to music, or the spurts and splotches of crimson and purple on a mutilated mendicant's scroll to painting. In such a procedure the primary conditions of effective and expressive art are altogether violated, and the result is not, properly speaking, a work of fine art at all. It has no perspective or proportion, no gradations of light and shadow, no softer tints of reserved tones of colour, no background, no relief, no repose. It is a uniform glare of blinding light and dazzling colours. The main end of art is equally defeated by such crude and untempered work. The appeal is really made not primarily to the imagination at all, but to the senses, the result being not the production of ideal pleasures or of any purely mental effect, but a physical commotion in the frame—a 'flutter of the blood'—results which the railway scream and the mendicant's daub are equally fitted and intended to produce. The three forms of art employ, indeed, the same means and produce, so far as they succeed, the same effects. The choice of such means and ends, on the part of a poet, indicates, however, not only native poverty of thought and engrained coarseness of feeling, but radically false and perverted views of art. Poetry is degraded into the mere slave and drudge of our lowest sensual appetites and desires, instead of occupying its true position as the minister and interpreter of the higher powers, activities, and capabilities of our nature. This interpretation when faithful always has an invigorating, elevating, purifying effect. Genuine passion of a noble kind is necessarily expansive and illuminating. It enlarges the intellectual vision and quickens the powers of insight, while at the same time it enrichens, deepens, and refines the current of our mental being. Great works of art, and especially great poetical delineations that awaken and stimulate such emotions, have the same effect. The poetical delineation of any great passion has indeed, as Aristotle points out, a purifying effect by rousing, through the imagination, the unselfish emotions. But of this higher influence of genuine passion and true poetry hardly a trace is to be found in Mr. Swinburne's writings. Love, for example, the great transformer, whose purifying fires purge away the dross from the mind, and kindle it by the contemplation of loftier ideals to the steadfast admiration and pursuit of the noblest ends in thought and life, is represented, throughout Mr. Swinburne's poetry, as something that blights, poisons, and destroys. In his pages it bites, and foams, and stings, blinds and maddens and satiates, stifles and strangles, crushes and chars; but it never raises or refines, redeems or saves. In the same way the influence of beauty, or the perfect in nature, is uniformly confounded with blind and passionate desire. It is described as fierce, bitter, fervent, intolerable, insatiable, unassuaged, as sharp, hot, salt, brackish, hungry, wasting, destroying.

Not satisfied, however, with selecting the materials of his poetry amongst what is lowest, most perverted, and extreme in nature, Mr. Swinburne resorts to the pigments, cosmetics, and stimulants of art, in order to heighten its meretricious effect. He says, indeed, in the prose apology we have already quoted, that poetry should be no forced growth of unhealthy heat and unnatural air. But no heat could be more unhealthy, no air more unnatural, than that which pervades his own poems. We have in them, instead of the freshness and grace of natural feeling, the jaded spasms of outworn desire and artificially stimulated appetite. Instead of the breezy purity, of the open air and sky, of the wind and the meadow and the wave, we have a curtained atmosphere heavy with op-

pressive scents, and thick with drowsy or stimulating fumes, steaming incense, fragrant oils, bruised seeds and gums, smelling of 'all the sunburnt south:'—

'Strange spice and flower, strange savour of crushed fruit,
And perfume the swart kings tread underfoot,
For pleasure when their minds wax amorous,
Charred frankincense and grated sandal-root.'

It is the atmosphere not of nature or of health, not of natural and healthful activity and enjoyment at all, but of luxurious abandonment and corrupted passion. These external appliances may no doubt help to stimulate the languid pulse, soothe the throbbing nerve, or rouse afresh the partially paralysed sense, and Mr. Swinburne seizes with instinctive avidity on all devices for heightening the momentary effect and prolonging the intensity of the sensual gratification he depicts. But such pandering is at best fit only for the waste 'pen of some vulgar amourist, or the trencher fury of a rhyming parasite.' It is no office for the children of Apollo, and the poet who stoops to it ought first of all to rend his singing-robes asunder, and cast his garland in the dust.

The same central characteristic, the indiscriminate use of the least-refined expedients for producing a strong but essentially temporary impression, is found even in Mr. Swinburne's style and versification. His style is full of verbal tricks, surprises, mannerisms, and conceits. Alliteration is the commonest, and perhaps to a cultivated taste the least tolerable, of these tricks, but Mr. Swinburne seems incurably addicted to it. The vice is indeed so flagrant and abounding in his work that his longer odes and lyrics may be described as thickets or jungles of alliteration, in which it is almost impossible to advance a step without being arrested and disturbed by their intrusion. But Mr. Swinburne has other mannerisms and tricks of style so numerous as almost to require a paper to themselves. A very few illustrations must however suffice. One common trick is that of employing contradictory terms and epithets, as in the following examples:—

'Me satiated with things insatiable.'

'Deathless shall be the death, the name be nameless.'

'Pitiless pity of days degenerate.'

'The fruitless fruitage of despair.'

'Time in its timeless tide.'

'Deathless though death overtake her;
Faithful though faith should forsake her.'

Another, still more common perhaps, is that of counterplacing nouns and verbs in the same line or couplet. The following examples illustrate this, and at the same time the writer's fondness for playing with, and repeating, favourite phrases:—

'A strong desire begot on great despair;
A great despair cast out by strong desire.'

'O sole desire of my delight;
O sole delight of my desire.'

'The delight that consumes the desire;
The desire that outruns the delight.'

'Labouring he dreams, and labours in the dream.'

'By short sweet kisses, and by sweet long loves.'

'The face is full of prayers and pains,
To which they bring their pains and prayers.'

Another trick is that of exchanging the objects and activities of the senses, as in the following:—

'The heavens that murmur, the sounds that shine.'

'Visible sound, light audible.'

Another is the ordinary device of contrast and antithesis only run to the extreme of mere prettiness and affectation, as—

'Those eyes the greenest of things blue,
The bluest of things gray.'

'Exceeding pleasure out of extreme pain.'

'For the great labour of growth, being *many*, is *one*;
One thing the *white death* and the *ruddy birth*;
The *invisible air* and the *all-beholden sun*,
And *barren water* and *many-childed earth*.'

But in the mere matter of rhymes in which, with a little care, no practised writer of verse ought to go wrong, and is inexcusable if he does, Mr. Swinburne is slovenly beyond example, at least among recent poets. The following poor tinkles, assonances, and false rhymes are all taken from a single poem in the 'Poems and Ballads,' the third, entitled 'Laus Veneris:' *deem, dream—death, eat—feet, it—thereof, clove—blows, bows—them, flame—black, back—thereof, love—sweet, it—enough, love—sea, she—mouth, doth—fruit, foot.* If the volume as a whole were taken, these examples might of course be multiplied tenfold. Even the versification, which is Mr. Swinburne's strong point, is, from sheer carelessness, not unfrequently culpably harsh, and sometimes defective as well. These constant failures in minor points, over which Mr. Swinburne has proved his mastery, seem to show that the neglect of the higher re-

quirements of his art injuriously affects his power of execution even in the lower and more mechanical details of verbal accuracy and metrical finish. And however this may be, they illustrate afresh the writer's radically defective sense of what constitutes high poetic excellence, and his utter want of the ethical firmness and artistic self-control essential to its attainment.

The analysis we have given of Mr. Swinburne's work enables us to fix with some precision his place amongst contemporary writers. He is the poet of what is known as the sensational school of literature. This school has long had its novelists and playwrights, its critics and journalists, and it now has its poet. All the points we have noticed as distinctive in Mr. Swinburne's writings identify him with the principles and peculiarities of the school. He agrees with the sensationalist in the fundamental point which gives the school its name—in appealing not to the intellect and the moral reason, not to the imagination and the affections, but to the senses and the appetites. The sensational writer, whether novelist or poet, deals with bodily instead of mental pleasures and pains, and hence the appropriateness of the title; sensations as distinguished from thoughts and emotions representing that class of our experiences which depend on physical rather than on moral or intellectual causes. Of these experiences the painful are the more memorable and impressive. And as the object of the sensational writer is to produce the strongest effect, he naturally tends not only towards the physical, but towards what is extreme, revolting, and even horrible in our physical experience. Hence the accumulation of violent outrages and unnatural crimes that crowd the pages of the more characteristic novels of this class, and hence, too, the marked prominence which sensual pains as well as pleasures have in Mr. Swinburne's poetry. In this feature of their work Mr. Swinburne and his friends are, however, opposed to the higher conceptions as well as to all the best schools of art. Hellenic art, for example, reflecting the genius of a highly cultivated people, shrunk, in the main, with instinctive aversion from the detailed exhibition of mere bodily suffering. The Greek artist felt intuitively that mere physical anguish is in itself revolting and ignoble, and that it can therefore be only sparingly employed in art as a condition for the development of higher qualities. Bodily pain accordingly holds a very subordinate place in the best Greek art, whether plastic or poetical, and is exhibited not so much in itself as in its moral results on those who suffer, and on those who behold the spectacle of suffering. It brings out, on the one hand, the virtues of fortitude and self-sacrifice—of heroic endurance and absorbing devotion to some noble object of friendship, piety, or patriotism; and on the other, the humanising and elevating qualities of admiration, sympathy, and love. Hence the dictum of the great critic, that tragedy, which is the concentrated and ideal delineation of human suffering, purifies the soul by touching its deeper springs of love and sympathy, of pity and terror. Even in Laocoön, which, as Lessing points out, is perhaps the extremest representation of physical suffering to be found in Greek plastic art, the victim's greatness of soul visibly triumphs over the supreme anguish of the hour. Modern art, in all its greatest periods, has not only faithfully observed the same vital law, but carried it still further. It is indeed mainly distinguished from Greek art by its more varied and absolute use of bodily suffering as an instrument for the development of moral and spiritual qualities. It is true that in all periods of art, both ancient and modern, there have been some who, in violation of its higher requirements, have given an extreme and exaggerated prominence to the physical details of human suffering. But it was reserved for the modern sensational school to reverse the great and pervading law which holds alike in nature and in art—to make, that is, bodily suffering an end to itself, instead of employing it as a means for the attainment of higher and nobler ends. The writers of this school appear to delight in extreme physical experiences—ecstasies and horrors—for their own sake, or rather for the sake of the morbid appetite they create and help for the moment to gratify. One of the worst but most inevitable results of this sensational literature is, indeed, to be found in the diseased appetite for artificial mental stimulants it produces, and which takes away the relish for wholesome and nourishing literary food. All coarse and violent stimulants deaden the finer sensibilities on which they act, and thus not only destroy the natural capacity for enjoyment of a more refined and satisfying kind, but produce a restless and intensely selfish craving for the coarser stimulant. Hence the rage for sensational novels and sensational literature, and hence too, we fear, the appearance of a sensational poet.

In all the main features of his poetry Mr. Swinburne is faithful to the school. As a natural result of his poetical temperament, he may be said, indeed, to represent its special characteristics in a more intense and concentrated form than even the most eminent of its prose writers. In many of his

more audacious pieces, indeed, Mr. Swinburne fairly out-Herods Herod. Much of his poetry is sensationalism run mad, foaming at the mouth, snapping rabidly at everything in its way, especially at the sanctities and sanities of life, avoiding all natural food, and seizing with morbid avidity on what is loathsome and repulsive, mere orts and offal. But there is still a method in the madness, with all its apparent blindness and fury. Sensationalism, at least in its extremest developments, rests on a speculative basis. It has a philosophy of its own. It springs from the assumption that the senses and their impulses are our highest sources of light and guidance, that reason and conscience are of no authority, that the moral and rational principles they supply—the highest regulative elements of our nature—may not only be disregarded with impunity, but are to be denounced as delusions, and rejected as mere hindrances to the life of nature. On such a theory reason is, of course, subordinated to sense, will to desire, while appetite and impulse are enthroned as lords of all.

In this point of view, as an exposition of what may be called the theory or creed of the extreme sensationalist school, Mr. Swinburne's last volume, 'Songs before Sunrise,' is of special interest. Here the writer evidently attempts to meet the objection urged against his poetry even by his best friends, that it embodies no great vital conceptions, has no animating and fructifying spirit, no inspiring impulse of faith, or hope, or effort, that in its moral aspects it is utterly dark, cold, and repulsive, with a background of cheerless impenetrable gloom; in a word, that it recognises no moral element in life or action, no real or ultimate ground for any belief in duty, liberty, or virtue. It will be clear from what we have already said that this complaint is perfectly just, but that it should be made at all, only shows how imperfectly Mr. Swinburne's admirers comprehend the real drift of his poetry, and the kind of philosophy it embodies. Mr. Swinburne's latest volume is, however, in part a kind of reply to this complaint; and it offers an exposition of what may be called the speculative groundwork, or creed of his poetry. This creed, when carefully examined, is found to consist of two points or articles, the first being the ultimate authority of appetite and impulse, and the second the deification of humanity. But these two points may obviously be resolved into one,—the deification of appetite and impulse. The practical recognition of this doctrine is called by Mr. Swinburne liberty, freedom, and he expresses his admiration of it, after his fashion, in a dazzling coruscation of verbal and metrical effects. After all, the conception thus glorified is a negative not a positive one, and ought to be called license, lawlessness, not liberty. Such as it is, however, he lauds and magnifies it in shrill-toned hymns and hallelujahs of the most surprising kind. The poetical utterance of his creed contained in the volume may indeed be described, as Mr. Disraeli once described a speech delivered by Mr. Bernal Osborne when newly emancipated from the trammels of office, as 'a wild shriek of freedom.' In the same way Mr. Swinburne, having cut himself adrift from all moorings, driven off the pilots with strong language, and thrown the helm and compass and chart overboard, pipes his shrillest to the storm gathering on the horizon, and abandons himself with intoxicated delight to the fury of the coming tempest. At last he is free, clear of all established havens and moorings, emancipated from the degrading thraldom of rudder and chart, lodestar and needle, his frail barque left to welter as a waif, in obedience to the natural laws of wave and storm, on the seething hissing bosom of the angry sea. That exactly represents Mr. Swinburne's idea of freedom and independence. Rejecting all the means which intelligence and foresight provide for controlling the elements or escaping their fury, he blindly abandons himself to their power, or as in such circumstances we justly say, 'to his fate.' That is precisely the case. Extremes meet, and Mr. Swinburne's so-called freedom is absolute fate.

His conception of freedom is, as we have said, wholly negative, and as such it is necessarily delusive and false. True liberty has its root in law, in the higher principles of our nature, is indeed the moral reflex of the responsibility thence arising. If we had no higher light, no authoritative moral perceptions superior to sense, we should have no claim to freedom, and could make no use of it. The right to the enjoyment of liberty is founded on the duty of every man to improve his powers to the utmost, to attain the highest possible degree of moral and spiritual perfection. The true conception of freedom is thus that of means to an end, the end being progress in virtue and knowledge, truth, and goodness. Mr. Swinburne, however, cuts away the living root, and utterly destroys the rational basis of freedom. With him it simply means the abolition of all existing restraints, in the last resort the overthrow of all law and order, of all existing moral rules and established government. It is thus purely an anarchical and destructive principle, which would soon make wild work

of human life and human society. Enlightened reason and conscience are the highest human sources of guidance for the individual. The principles we reach under the guidance of these powers are often, it is true, narrow and mistaken. But the gradual correction of these defects constitutes, with good and wise men, the very discipline of life. They strive to enlarge and purify their knowledge, and make their principles of judgment and action more enlightened, liberal, and true. But because they do not at once illuminate everything, Mr. Swinburne would extinguish these supreme guiding lights in the pathway of life. The impulse of appetite and desire, if blind are at least definite, and with the heat and impatience of a weak and passionate nature, he virtually says, 'Let us follow these impulses, as supreme.' Again, positive institutions, political and religious, are the reflex in society of reason and conscience in the individual. These institutions partake no doubt of human imperfection, and are often grievously defective. But the great aim of enlightened patriotism and true statesmanship is to improve them, and make them more and more fitted to secure their great end, the welfare of society. But Mr. Swinburne and his friends seek to destroy them altogether, and substitute in their place the aggregate of ungoverned impulse and passion known as the Red Republic. Not the nobly organised Commonwealth, the vision of which kindled Milton's disciplined imagination, and roused all the austere enthusiasm of his nature, but a mere fortuitous concourse of impulsive and fiery atoms. This, if established on Mr. Swinburne's principles, would simply be anarchy organised, made operative, and systematically employed for destructive purposes. In fact the condition of France, and especially of Paris, during the last three months and at the present time, is the best possible commentary on the political principles more obscurely enunciated in 'Songs before Sunrise.'

The spirit of the book is in harmony with its weak, passionate, and negative philosophy. Many of the poems are narrow, violent, and bitter beyond anything that has proceeded from Mr. Swinburne's pen. In this respect much of the volume appears to us justly exposed to unqualified reprobation: not on the mere ground of opinion, for honest opinions can be legitimately held, and be opposed and defended in the proper way. If Mr. Swinburne, as the result of his speculative efforts, has arrived at pantheistic views, he is of course at perfect liberty to hold them. If he chooses to deny the reality of moral distinctions, he can in like manner do this, so long as he confines himself to the speculative side of the question —to the calm and philosophical statement of his theoretical opinions. But that he should indulge in coarse and bigoted denunciations of the central religious doctrines held by the great majority of his fellow-countrymen is, to say the least of it, an unpardonable offence against good taste and good feeling. And that he should revile in blasphemous language the object of their worship is an offence of a far deeper dye. This, however, he repeatedly does in his last volume. In the opening poem, 'The Prelude,' one of the best in the volume, he adopts, it is true, a comparatively calm and philosophical tone; and though the philosophy of the poem would suggest suicide as the only consistent course to be pursued by rational beings, our complaint would have been comparatively groundless if its higher philosophical tone had been kept up in the poems that follow. But this is far enough from being the case; the calmer tone is soon abandoned for that of harsh and violent denunciation. The truth is, Mr. Swinburne is not a philosopher at all; he is not even a thinker; he merely sets other people's thoughts—the floating conceptions that he finds most genial—to his own peculiar music, and in doing so the shriller and harsher tones of his lyre are sure to be heard. We have no space for quotations, and if we had, the most pertinent illustrations could not be quoted. But nowhere in his writings has Mr. Swinburne shown an animus so envenomed, a spirit so weak and essentially sectarian, or used language so intemperate and profane, as in this volume. Such poems, for example, as 'Before a Crucifix' and 'The Hymn of Man,' are thoroughly fanatical in their wild and blasphemous intolerant atheism.

Mr. Swinburne has, it is true, attempted to justify this feature of his writings by referring to Shelley. We are willing to believe, however, that this reference was made not deliberately, but in a moment of excitement. Notwithstanding all we have said of Mr. Swinburne, we feel persuaded he would not venture to challenge a comparison with Shelley, even in this particular. However this may be, the phrases Mr. Swinburne quotes from Shelley all occur in his earliest poem, written when he was still almost a boy—a poem never published by himself, and the publication of which by others called forth his express and indignant censure. In his later writings no such expressions occur, while his latest show a very considerable change of tone on the whole subject. Mr. Swinburne has been before the world as an

author for a much longer time than the whole period of Shelley's public life, yet his last productions are in spirit and temper the worst. For the rest, any attempt at a serious comparison of Swinburne to Shelley would oblige one to exclaim, not as a figure of speech but in sober truth, 'Hyperion to a Satyr.' Shelley had wild and perverted views; but his mind was pure, and his poetry, the reflex of his mind, has upon it the very bloom of purity. Had he taken up even Mr. Swinburne's unsavoury subjects, their grossness would have been almost purged away by the exquisite grace and delicacy of his touch. On the other hand, Mr. Swinburne's method of treatment would almost inevitably defile even the most sacred relationships and experiences of life. It is comparatively easy to imitate Shelley's imperfections without sharing the higher qualities of his mind, or approaching the peerless perfection of his noblest work. A writer of verse may produce imperfect lines, indulge in repetitions and plagiarised passages, and even in intemperate denunciations of existing institutions, without having much in common with Shelley. We are glad, indeed, to think that Mr. Swinburne has not derived his inspiration from Shelley, or from any English author or English school of poetry. He is rather an Alfred de Musset without his finesse and grace. What is most distinctive in Mr. Swinburne's work is derived from the corrupted school of French art and French poetry, which, with other influences traceable to a common root, has contributed to the temporary ruin of the finest country and most gifted people in Europe. The principles of the school which Mr. Swinburne represents would, indeed, if successful, not only overturn all existing order, but in the end prove fatal to art, literature, and civilisation itself.

Art. IV.—*Burton's History of Scotland.* Vols. V., VI., VII. Edinburgh: 1870.

The former volumes of Mr. Burton's history closed with the imprisonment of Queen Mary in Lochleven Castle. The explosion of Kirk-o'-Field had blown into air all those far-reaching schemes for the elevation of Mary to the throne of Elizabeth, and the restoration throughout the island of the old faith, which had dictated the policy of the Catholics, and had taken firm hold of many who, though nominally Protestants, were above all things enthusiastic Scotchmen. The name of the Scottish Queen was no longer a name to charm with: a murderess and adulteress could not be the champion of a great religious reaction. 'The spirits of the Catholics are broken,' writes De Silva, quoted by Mr. Froude. 'Should it turn out that she is guilty, her party in England is gone; and by her means there is no more chance of a restoration of religion.' True, these schemes revived at a later time; but henceforward they were vain dreams. They lured to destruction the subtle Lethington; they won the chivalrous Grange from his loyalty; but they never came within the sphere of human probabilities. Varied as were the phases of the long game which succeeded, we can now see plainly that, after the crime of Kirk-o'-Field, Mary never had a chance of winning the great stake which from the first she had set herself to play for.

The after-fortunes of Mary in her native country Mr. Burton relates with brief distinctness. The romantic events of the escape from Lochleven—the muster at Hamilton—the overthrow of Langside, find in him no very congenial chronicler. But he dwells with characteristic minuteness on every aspect of the imprisonment; he specifies the nature of the stone with which Lochleven Castle was built; he describes the advantages of its situation as regards supplies of mutton, fish, and game; he altogether disbelieves that the limited accommodation of the castle could have allowed of the birth, concealment, and removal of a daughter—the result of the alliance with Bothwell. He thinks there is no evidence that Mary was treated with harshness. But the completeness of her seclusion points to a very close watchfulness; while the fact that two daughters of the castle were her bedfellows—which Mr. Burton somewhat mysteriously explains as required by 'the hard rules of political necessity'—shows that her life must have been exceedingly uncomfortable. But we are without any real knowledge on these matters, and must rest content with what the insight of genius has revealed to us in the pages of the 'Abbot.'

After the impetuosity of her adherents had rushed upon defeat at Langside, nothing remained for Mary but flight. France or England was an obvious alternative: Mr. Burton starts an interesting speculation as to the results of her having sought a refuge in Spain:—

'Could she have fled to Spain, a scene of another kind might have opened. There she would have found a monarch who, if it be possible, was more earnest than herself in reverence for the doctrine, that the one object, both

for the sake of this world and the next, to which a Christian sovereign should be devoted, was the restoration of the old Church to its power and splendour. The possibilities that such a conjuncture might have opened are so interesting that they can hardly be passed in silence. Might not an impulse have been given to his sluggish nature, so that the great blow he was to strike in England might have been earlier and more aptly timed? There was no room, it is true, for the revival of the old matrimonial project between Mary and Don Carlos, which Catherine of Medici had wrought so hard to defeat. The poor mad youth was at the crisis of his tragic fate. It was about six weeks after her escape that, if we are to accept what we are now told, his throat was cut in the Escurial, not by assassins, but by the ministers of Spanish justice. But presently there was to be another opening. Within six months after this crisis in Mary's fate, her sister-in-law, Isabella of France, the Queen of Spain, died. She also became the tragic heroine of a romance of love and crime; but history gradually dropped the dark suspicions on her name, and left them to the world of fiction. Though the daughter of the terrible Catherine, she left the reputation of a faithful wife and a gentle queen. Among those who cherished the memory of her virtues, they were enhanced by the fervency with which on her death-bed she expressed her thankfulness in being the partner of one whom no deceptious frailties of mercy or remorse had ever checked in the sacred task of extirpating heresy. To such views Mary was one who would have given support quite as sincere and far more active. Indeed, just before the Queen of Spain's death, the two had been holding some genial correspondence, in which the restoration of the Church was put foremost of human duties. At that time Philip was not yet forty-two years old, and though he had been three times married, the son destined to succeed him had not yet been born. If it be said that these speculations on the possible consequences of events which never came to pass are away from the purpose of history, it may be pleaded that they deserve a passing notice, since they were contingencies which both the thinking and the acting men of the time must have studied. There was nothing in the possible future of Mary's relations with France and Spain that did not then affect the present in Scotland and in England too.' (Vol. v. pp. 120, 121.)

Mary Stuart fled to England in May 1568. From that time till the fall of Edinburgh Castle in May 1573, her fortunes were closely united with those of her native country. At any period during these five years the future of Scotland might have taken almost any shape, according as Elizabeth had dealt with her royal captive. Hardly less did the peace and security of England seem, at the time, to depend on the same decision. No wonder, therefore, that the decision was anxiously watched for then, and has been eagerly canvassed since. An enthusiastic school of recent English writers maintains that Elizabeth, in her dealings with Mary, acted not only with wisdom, but with justice. We are old-fashioned enough to demur on both points. The tragic end is defensible on many grounds, but its defensibility seems to us the exact measure of the guilt of the earlier policy. The necessity for the execution is the deepest condemnation of the long captivity. But, irrespective of this consideration, it is vain to dispute that Mary's detention in England was in violation of all public or municipal law. Mr. Hallam says, in his calm, impartial style, which in this controversy gives the reader such a sense of relief, that 'policy was supposed, as frequently happens, to indicate a measure absolutely repugnant to justice, that of detaining her in perpetual custody. Whether this policy had no other fault than its want of justice may reasonably be called in question.' We cannot however concur with Mr. Hallam in his further remarks, that 'to have restored her by force of arms, or by a mediation which would certainly have been effectual, to the throne which she had compulsorily abdicated, was the most generous, and would perhaps have turned out the most judicious proceeding.' This course, doubtless the most generous, might have proved the most judicious, but for the incurable duplicity of Mary and her supporters. Had they been only moderately honest, or had they succeeded in concealing their dishonesty! Their promises indeed were fair, but there was no thought of keeping them. Had Mary been restored, the old game would have been played over again—the revival of Popery, the assaults on Elizabeth's throne. That this would have been so was proved to the Ministers of Elizabeth under the hands of the plotters themselves. Therefore she could say with truth that 'to set this person at liberty and restore her to her throne would be an act of dangerous folly which no indifferent person should in conscience require.' The wisest course, as it seems to us, would have been the impartial neutrality of sending her to France. There the hatred of the Queen-mother would have kept her powerless and harmless. Had Elizabeth committed Mary to the keeping of Catherine de Medicis, and recognised James as her successor on the throne of England, her reign would have been undisturbed by many a danger, and her memory would be without its deepest stain. The course she took was at once the least honourable and the most perilous. Mary, in England, was the centre of all mischief. The long injury of her imprisonment made the world forget her crimes: the old schemes

were renewed; to enthusiastic natures any plot became holy which had for its object the triumph of the true faith and the restoration of freedom to the captive. Elizabeth owed her safety solely to the jealousies between France and Spain. Not only were these powers unable to co-operate even for the humiliation of England, neither could resist the temptation of thwarting any promising plan devised by the other.

While the weakness and prejudices of Elizabeth were thus injurious to herself, they brought bitter disaster upon Scotland. The Queen's party revived: Murray, the one man able to control Scotland, was assassinated; the Catholic nobles, believing in the restoration of Mary, took heart; the leading Protestants, dazzled by the same mirage, deserted the good cause. But what changed Maitland of Lethington, and, through him, Grange, into the most zealous of queensmen, has never, perhaps, been satisfactorily explained. Mr. Froude's theory is that Maitland was deluded by the vain hope of winning for Mary the English crown. Mr. Burton has no particular theory about the matter; and, in default of one, falls back upon an illustration. 'Lethington took his inspiration from the lamp. Among the common politicians of the day he was like an alchymist acquainted with formidable chemical combinations unknown to others, and not so well at his own command but that the result was often explosive and disastrous.' Besides being led away by his own over-subtle fancies, Maitland mistook the position and misread the character of Elizabeth. Her weakness and fickleness, and the duplicity which is the consequence of weakness and fickleness, were past even his finding out. Maitland, Argyle, and Grange were all the victims of her hesitation or the dupes of her cunning.

The King's party, and with it the cause of the Reformation, was for a time in evil case. Morton upheld it alone. He was the strength of the party, and the true ruler of Scotland, while power was nominally intrusted to the feeble hands of Lennox and Mar. History has done but scant justice to this man. Mr. Froude somewhere calls him 'an unprincipled scoundrel;' and even the cooler judgment of Mr. Burton seems warped against him. We cannot concur in this severity of condemnation. Unprincipled, in private life, Morton was. Unhappy in his marriage, he was a libertine in his amours. But profligacy was a small matter in days of universal profligacy; *that* Morton had in common with many who were without his excuse. Unprincipled in public life he was not. True, his principles were purely political; for the religious interests at stake he cared as little perhaps as Lethington himself. But such as they were he stuck to them; he chose them early, he adhered to them always, he carried them to final triumph, and he was put to death because of them. The nature of the man was hard and stern; he was feared and obeyed, but never loved, even by those of his own party. In the crisis of his fate, when done to death by the wretched courtiers of James, the Presbyterians whom he had saved would not move on his behalf. But now at last we may estimate fairly the merits of a statesman, undisturbed by doubts as to the piety of his motives and the purity of his life. His courage, vigour, and tenacity of purpose compel our respect; his fidelity to his party and his services to freedom demand our gratitude. Abandoned by his old allies, Morton found support in an unlooked-for quarter. For the second time in Scotland's story the middle class arose and saved their country. As we pointed out in our notice of Mr. Burton's former volumes, it was this class which brought the War of Independence to a successful issue. During the kingly period they disappear from the stage: they were exhausted with misery, and the wretched turmoils which then desolated the land were nothing to them. But now they were roused by stimulants of terrible potency. The pure religion which they had learned to cherish was to be torn from them; a Popish adulteress was again to reign; the Spaniards, led by the dreaded Alva, were about to land on their shores; and in such straits their natural leaders were deserting them. But the more desperate the danger the higher swelled the national spirit. And the preaching of Knox, old though he was, and broken, and unable to reach the pulpit without aid, could yet stir the heart of Scotland 'like ten thousand trumpets.' Blamed for his attacks on Mary, he thus vindicates his speech: 'That I have called her ane obstinate adolatrice, ane that consented to the murther of her awn husband, and ane that has committed whoredom and villanous adultery, I gladly grant and never minds to deny; but railing and sedition they are never able to prove in me, till they first compel Isaiah, Jeremiah, Ezekiel, St. Paul, and others, to recant, of whom I have learned plainly and boldly to call wickedness by its own terms—a fig a fig, and a spade a spade.' The nation was roused by his denunciations; it was he who at this supreme crisis turned to foolishness the wisdom of Lethington and the chivalry of Grange, and called to life the Commons of Scotland; and the Commons of Scotland saved the liberties and religion of their own country, and in so

doing saved also the liberties and religion of England.

This rise of the Commons is the one attractive feature in that cruel time. Scotland became the theatre of a desolating civil war. She had known many miseries of strife and rebellion; but never anything like this. No quarter was given on either side. No sex or age was spared—women and children were tossed living into their burning houses. But the issue, failing the arrival of Alva, was never doubtful. Knox foresaw surely 'of the castle of Edinburgh, that it should rise like a sandglass, and spew out the captain with shame.'

Two events hurried on the end—the massacre of St. Bartholomew and the conspiracy of Ridolfi. The great crime of the court of Paris produced more immediate and more important effects in Scotland than in any other country. The tendency then gaining ground among the Commons towards the sternest forms of Presbyterianism was quickened by sympathy with the Huguenots, from whom that Presbyterianism had been derived. The nation was transported with rage and horror before which even the Catholic nobles quailed. Then came the detection of Ridolfi, revealing to Elizabeth something of her danger, laying bare before Cecil the Catholic plottings and the complicity of Lethington. The title of James was recognised. The Pacification of Perth followed; and there remained only the defenders of the castle of Edinburgh—fighting with the desperate fidelity of renegades. Even at the last Elizabeth hesitated; but Morton—unlike Lennox and Mar—would not be trifled with. Accordingly, English cannon were sent round to Leith; the castle fell; and there was peace in the land.

This period of civil war possesses, as we have said, a peculiar interest and importance, because then the Scottish middle class made itself felt as a power in the country, and won a position which it never afterwards lost. It possesses, too, an interest of a different kind in that, before the issue was determined, the man who had called that middle-class into political existence closed, not unworthily, his eventful career. The last days of Knox present a noble picture of faithfulness and courage enduring to the end. Worn with age; beset with dangers; his life threatened by Grange himself, the trusted friend of old days; counselled to silence by timid allies; deserted even by his ecclesiastical brethren; he would not be slack in the cause of his country and his God. Driven from Edinburgh, his voice woke the land from distant St. Andrew's; but his work was done, and he returned to Edinburgh to die. His last act on earth was one of mercy. He sent David Lindsay, a minister, to the castle, beseeching the defenders to give rest to the country, and to save themselves from inevitable destruction. Grange was moved by such a message from one whom he had loved and honoured; it drew but a scurril jest from the harder Lethington. 'Well,' said the dying man, when the failure of his errand was reported to him, 'I have been earnest with my God anent tha twa men. For the one, I am sorry that sa should befall him; yet God assures me there is mercy for his soul. For the other, I have na warrant that ever he shall be well.'

For all this, as indeed for the whole life of Knox, Mr. Burton, we regret to state, has no fitter words than 'egotism,' and 'rancour,' and 'arrogance.' Throughout his history he is curiously unjust to the great Reformer. To some extent this is intelligible. Himself utterly without enthusiasm, Mr. Burton cannot discern the merits, still less make allowance for the failings, of noble and enthusiastic natures. But it is less easy to understand why Mr. Burton should have taken so little pains to show in their true light the undoubted service rendered by Knox to his country—to education, for example; to civil, if not to religious liberty. He writes of him throughout with a grudge and reserve of praise which seems to spring from a genuine inability to estimate fairly the position and character of the man. The reality of Knox's character has, we think, been obscured hardly less by the zeal of friends than by the malignity of enemies. To us his temperament seems to have been the very reverse of that of a fanatic. It was genial, liberal, kindly. True, he was enthusiastic—zealous even to slaying. He was intolerant, too, of Popery and tyranny; and fortunately for him and for us, Popery and tyranny were then combined, at least in Scotland, with foolishness and crime. But enthusiasm is not fanaticism: intolerance does not always spring from mere bigotry. The cause of Protestantism and freedom against Mary, Philip, Alva, and the Pope, was a cause which men had to fight hard for; and which, failing success, they would have had to die for. In such a struggle 'enlightened principles' of any kind are not likely to find place. Intolerance is the inevitable vice of such a time; and Knox's intolerance took its vehemence from a fiery temperament, heated by his keen perception of the dangers to which truth and freedom were then exposed. Two great political evils throw their shadow over all Scottish history—fierceness of faction and want of

public spirit. Knox was fierce enough, and, in a sense, factious; but he was animated by an unselfish zeal for the public good, shared in by few Scotchmen of his own or any other time. Our readers, we are sure, will forgive us if we recall to their recollection Mr. Froude's estimate of the greatest of Scotchmen:—

'The time has come when English history may do justice to one but for whom the Reformation would have been overthrown among ourselves; for the spirit which Knox created saved Scotland; and if Scotland had been Catholic again, neither the wisdom of Elizabeth's ministers, nor the teaching of her bishops, nor her own chicaneries, would have preserved England from revolution. His was the voice which taught the peasant of the Lothians that he was a free man, the equal in the sight of God with the proudest peer or prelate that had trampled on his forefathers. He was the one antagonist whom Mary Stuart could not soften nor Maitland deceive; he it was that raised the poor Commons of his country into a stern and rugged people, who might be hard, narrow, superstitious, and fanatical; but who, nevertheless, were men whom neither king, noble, nor priest could force again to submit to tyranny. And his reward has been the ingratitude of those who should most have done honour to his memory. . . . Even his very bones have been flung out of their resting-place, or none can tell where they are laid; and yet but for him Mary Stuart would have bent Scotland to her purpose, and Scotland would have been the lever with which France and Spain would have worked on England. But for Knox and Burghley—those two, but not one without the other—Elizabeth would have been flung from off her throne, or have gone back into the Egypt to which she was too often casting wistful eyes.'*

With the overthrow of the Queen's party ends the interest of Scotch secular history until the union of the crowns. There remains much intrigue and turmoil—raids of Ruthven, Gowrie plots, and frequent outbreaks of feudal savagery; but little to amuse and nothing to instruct. The character of James arrests attention for a moment—in delineating which Mr. Burton has laboured with evident pains and remarkable success. He displayed from the first all those unkingly qualities which afterwards excited the indignation and contempt of England. We remark the same timidity, the same feeble obstinacy, the same shallow deceit which he thought kingcraft, the same love of favourites, the same strange susceptibility to the attractions of male beauty. Aubigné, Arran, and Gray were the forerunners of Carr and Villiers. Mr. Burton accounts for this last peculiarity by the following ingenious theory:—

'The king, just growing into manhood, was acquiring that offensive ugliness which even court painters could not help revealing if they produced what could be recognised as a portrait. The ugliness was offensive, because it had none of those qualities which give an interest, and sometimes even a dignity, to ugly faces—as intellect, firmness, or even sternness. But he delighted in having handsome men about him, and good looks were a sure passport to his favour. This weakness seems to have come of the same peculiarity of nature, unaccountable on any reasoning from cause and effect, which makes unseemly people take delight in the fine clothing and brilliant jewellery which only draw attention to their defects.' (Vol. v. p. 497.)

We have no inclination to dwell on those dreary times, and gladly turn to a more inviting theme—the progress of the Scottish Reformation, and the development of Scottish Presbyterianism. It is in this branch of his subject that Mr. Burton has achieved his greatest success. Here his impartiality, amounting almost to indifference, stands him in good stead. For when we come to deal with the struggles, in the seventeenth century, between Presbyterianism and Episcopacy, we tread on embers beneath which the fires are yet living. The passions of men are always excited by religious controversy; and few controversies have raged more furiously or for a victory more trivial than the rival claims of Episcopalians and Presbyterians to be recognised as the true Church of the Scottish Reformation. The respective disputants have, of course, looked at one side of the shield only. Mr. Burton's even-handed justice will be distasteful to both, in exact proportion as it will be prized by the lover of historical truth. It is not too much to say that the best ecclesiastical history of Scotland yet written is to be found in Mr. Burton's pages.

Mr. Froude's favourite source of historical knowledge, the Statute-book, does not greatly aid us towards a true understanding of this matter. Popery was overthrown in 1560, and it was thought wise to confirm this great work in 1567. After the latter date, a ritual seems to have prevailed, carefully cleared of any leanings towards Popish doctrine, certain musical observances, and other things which subsequently came to be regarded as abominations, such as the sponsors in the Anglican rite of baptism. These Reformation Acts, if we may so call them, made no special attack on the episcopal hierarchy. On the contrary, the Estates expressly refused their approval to the Huguenot system, in the shape of the First Book of

* History, vol. x. pp. 456, 457.

Discipline ; and, in a statute passed for the suppression of Popery in 1572, it is declared that the Kirk is to act through 'lawful archbishops, bishops, superintendents, and ministers and readers.' But in 1580 a different spirit appears. In the Assembly of that year 'the office of ane bishop' is declared to have 'no sure warrant, authority, or good ground out of the Scripture of God, but to be brought in by folly and corruption; and is therefore abolished. In 1592 we find the Estates establishing the Presbyterian polity in language unequivocal and distinct; in 1597 we find them recognising 'bishops, abbots, and other prelates;' in 1606 they formally restore the order of bishops 'to their ancient and accustomed honours, dignities, prerogatives, privileges, livings, lands, &c.;' in 1640 they overthrew the whole Episcopal hierarchy, and declared the Covenant the law of the land. All this is not a little perplexing; but if, turning from the dry bones of statutes, we study the changeful life of Scotland during that epoch, we shall find the history of her Church become intelligible. The high-born Reformers of the early period cared little for the spiritual aspects of the movement which they led. What they really valued, what made the new faith truly precious in their sight, was their possession of the Church lands. 'If they can have the kirk lands,' wrote Knox to them, 'to be annexed to their houses, they appear to take no more care of the instruction of the ignorant, and of the feeding of the flock of Jesus Christ, than ever did the Papists whom we have condemned, and yet are worse ourselves in that behalf.' Certainly they had no special aversion to prelates or prayer-books. Knox himself was no hater of Episcopacy. On the contrary, he dealt with the proper ordering of the office of a bishop as a matter of importance in the economy of the Church. Had the nobles been steadfast to Protestantism, and gone along with his scheme of education, the bishops would have moved him little. At the very first, in 1559–60, had the Queen Regent shown good faith, and not attempted to put down the new religion with French money and French troops, the Reformation, guided by moderate men, might have assumed a different character. Mary bettered her instruction. The result was twofold: Scotland was thrown, politically, into the arms of England; a more fiery zeal was breathed into the new Dissent. Knox was driven to extremes by the defection or indifference of the Protestant leaders, by their active opposition to his scheme of education, and by the reaction in favour of Mary and Popery. Thus the defence of freedom and religion fell into the hands of the commonalty; and from five years of civil war there emerged a stern creed and a democratic Church. The horrors of St. Bartholomew, the terror of the Armada, worked in the same direction; as did also the preference for Episcopacy early evinced by James. From all which causes it came about that, at the union of the crowns, the current of national feeling set steadily towards democratic Presbyterianism, with, it may be, a reactionary eddy here and there at the side, but without effect on the main flow of the stream. We have passed from the comparative liberality of Knox to the harder and narrower, if more logical, doctrine of Melville.

When James succeeded to his great inheritance, an English courtier, with the natural curiosity of one receiving a new master, desired to learn the king's disposition from a Scottish peer. 'Saw ye ever,' was the reply of the noble humourist, 'saw ye ever a jack ape? Because if I hold him in my hands, I can make him bite you; if you hold him in yours, you can make him bite me.' James was no sooner in English hands than he began to bite Scotland, and especially the Scottish Church. He hated, with a manifold hatred, both the Presbyterian system and the Presbyterian clergy. The episcopal polity adapted itself more readily to the political theories of Filmer; the blasphemous adulation of English prelates was more grateful to royal ears than the rude rebukes of Melville. The Hampton Court Conference, unimportant in its issues, revealed the temper and purposes of the king. Certain of the clergy were convicted of high treason for upholding the independence of ecclesiastical assemblies; the two Melvilles, and six of the brethren, who had been tempted to London by specious promises of patient hearing and fair judgment, were banished or confined to particular localities in Scotland, because they would not acquiesce in 'Papist ceremonies, and an unchristian hierarchy.' Finally, Episcopacy was formally restored in 1606. But it was easier to create bishops than to endow them; the nobles refused to relinquish the spoils of the Church; it was found impossible to restore to holy uses even the fragment of the old ecclesiastical wealth which had been vested in the Crown by the Act of Annexation. Mr. Burton gives an amusing account of the piteous and repeated wailings of the new bishops on the score of their poverty. But it was all in vain. The one fact which 'we have to carry out of the whole selfish and cunning struggle is the determined pertinacity of the hold maintained by powerful men in Scotland over the revenues of the old

Church.' These men were the worthy predecessors of the same class which supports Episcopacy in Scotland in such a niggardly fashion now.

James's next move was more decided. The celebrated Five Articles were passed in a packed Assembly held at Perth in the year 1618. They were ratified by the Estates in 1621, and when the Commissioner rose to touch them with the sceptre, according to the ancient fashion of the realm, the displeasure of Heaven was manifested by lightnings and thunders, and 'an extraordinary great darkness.' To us, looking back on these matters with the cultivated indifference of the present day, it seems strange that the provisions of those articles should have excited so much commotion even upon earth. They enjoined the attitude of kneeling at the Communion, permitted private baptism on necessary cause, insisted on the rite of confirmation, and required the due observation of holy days. What was there in all this to give such dire offence?

'To see how deep these simple rules of ecclesiastical ceremonial, or ritualism, cut into the prejudices of a large portion of the community, it may be proper to glance back at some conditions peculiar to the Reformation in Scotland. The stranger in a Scotch Presbyterian church generally remarks that the form of service seems to have no other ruling principle save that of antagonism to the forms of all the churches which have adhered, in whole or in part, to the traditional ceremonial of the Church of the middle ages. Where in these the suppliant humbly kneels in prayer, in Scotland he stands straight up, with his head erect, as if he would look the Giver of all in the face, and demand what he prays for. Then, in the celebration of the sacrament of the Atonement, while in other churches the ceremonies are adjusted so that the communicant shall appear as a suppliant humbly receiving the great boon at the hands of those authorised to render it, in the ministration of the Lord's table in Scotland, scrupulous care seems to have been taken to give the whole as much as possible the aspect of a miscellaneous party assembled for convivial enjoyment round a hospitable board.' (Vol. vi. p. 323.)

In contrast with this, it may not be out of place to quote the passage in which Lord Macaulay traces the spirit of compromise which pervaded the ceremonial, as well as the creed, of the Church of England.

'Utterly rejecting the doctrine of transubstantiation, and condemning as idolatrous all adoration paid to the sacramental bread and wine, she yet, to the disgust of the Puritan, required her children to receive the memorials of divine love, meekly kneeling upon their knees. Discarding many rich vestments which surrounded the altars of the ancient faith, she yet retained, to the horror of weak minds, a robe of white linen, typical of the purity which belonged to her as the mystical spouse of Christ. Discarding a crowd of pantomimic gestures which, in the Roman Catholic worship, are substituted for intelligible words, she yet shocked many rigid Protestants by marking the infant just sprinkled from the font with the sign of the Cross. The Roman Catholic addressed his prayers to a multitude of saints, among whom were numbered many men of doubtful, and some of hateful, character. The Puritan refused the addition of saint even to the apostle of the Gentiles, and to the disciple whom Jesus loved. The Church of England, though she asked for the intercession of no created being, still set apart days for the commemoration of some who had done and suffered great things for the faith. She retained confirmation and ordination as edifying rites: but she degraded them from the rank of sacraments. Shrift was no part of her system. Yet she gently invited the dying penitent to confess his sins to a divine, and empowered her ministers to soothe the departing soul by an absolution which breathes the very spirit of the old religion.*

The time when such a system could be adopted by the Scotch Reformers, if it had ever existed, was long past. In England it readily found acceptance, favoured by many peculiarities in the origin and early development of the Reformed Establishment. Devised by unenthusiastic statesmen, the English Church polity was given to a people naturally averse to extremes, with whom there were no memories of a recent and desperate contest to rouse suspicion of its compromising spirit or hatred of the traces it bore of the august superstition which they had so long revered. And, while much was lost, sufficient of the temporalities was retained to maintain with propriety the observances which that polity required. The decent church, the stately cathedral, the wealth and dignity of the superior clergy, gave appropriateness to some measure of ceremonial splendour. In Scotland none of these influences were at work. Hence the rude simplicity of the new rites may be rested on grounds more intelligible than a love for the semblance of 'convivial enjoyment,' or a disposition to demand rather than to supplicate the favour of the Deity. There Protestantism took its shape, not from the hands of statesmen, but from the hands of zealots who, hardly victorious in their long struggle with Popery, could tolerate nothing that reminded them of their formidable foe. The Church, despoiled by greedy magnates, had no longer the means of maintaining any stateliness of ceremonial. Nor,

* History, vol. i. pp. 53, 54.

had these means existed, would they have been so used. The crying sin of the Roman Catholic Church had been her idolatry; and everything that recalled her observances was held to savour of idolatry. The worship of the heart must be independent of all outward seeming. Even the ordinary attitude of devotion was rejected as unnecessary when approaching Him who seeth in secret; as actively evil, because so the inward reality is forgotten in the external form. Moreover, at this time, Popery was not only hated in Scotland, but feared. The contest was too recent, and had been too arduous, for all alarm to have subsided. Popery still held its ground in the north; and a belief became general that the faithless Stuarts were experimenting upon Scottish forbearance, with the ulterior view of at last restoring the old faith in England.

Ignorance, or rather the half-knowledge which is worse than ignorance, came to aid prejudice. Popery was declared to have sprung from paganism. The 'Yule vacance' was denounced as having been originally a festival in honour of the Scandinavian Jol; the surplice had been taken from the priests of Isis, and was thus one of the abominations from which the chosen people had fled into the desert. In the temper in which the people then were, fancies like these found ready credence, and exercised a powerful influence.

Such were the motives which animated the resistance to the Articles of Perth. James, after a struggle, gave way; showing in this, perhaps, wiser 'kingcraft' than in any other action of his life. Laud, then rising into note, urged persistence; but the king not only disregarded his evil counsel, but opposed himself to Laud's promotion, hardly yielding on the latter point to the solicitations of Buckingham. He gave his reasons in a remarkable statement, quoted by Mr. Burton (vi. 338) with the true comment that, if we knew nothing else of James, the sagacity therein displayed would entitle him to be classed among the wisest of rulers.

'The plain truth is that I keep Laud back from all place of rule and authority, because I find he hath a restless spirit, and cannot see when matters are well, but loves to toss and change, and to bring things to a pitch of reformation floating in his own brain, which may endanger the stedfastness of that which is in a good pass, God be praised. I speak not at random. He hath made himself known to me to be such a one; for when, three years since, I had obtained of the assembly of Perth to consent to five articles of order and decency in correspondence with this Church of England, I gave them promise, by attestation of faith made, that I would try their obedience no farther anent ecclesiastical affairs, nor put them out of their own way, which custom had made pleasing to them, with any new encroachment. Yet this man hath pressed me to invite them to a nearer conjunction with the liturgy and canons of this nation; but I sent him back again with the frivolous draught he had drawn. It seemed I remembered St. Austin's rule better than he: "*Ipsa mutatio consuetudinis, etiam quæ adjuvat utilitate, novitate perturbat.*" For all this he feared not mine anger, but assaulted me again with another ill-fangled platform to make that stubborn Kirk stoop more to the English pattern. But I durst not play fast and loose with my word. He knows not the stomach of that people; but I ken the story of my grandmother the queen-regent, that after she was inveigled to break her promise made to some mutineers at a Perth meeting, she never said good day, but from thence, being much beloved before, was despised by her people.'

Charles I. succeeded to his father's throne, some short while after these words were written for his guidance, in the spring of 1625. From the first he disregarded them, and threw himself into the wild schemes of Laud. At this point Scottish history again assumes an interest which extends far beyond Scotland. In the anti-papal conflict Scotland was the proposed battle-field of the contending forces of Europe. Now her sphere of action is less extensive, but the part she plays becomes more decisive and more dignified. Her ecclesiastical politics combine with her secular, and both flow on together in one great stream bearing with it the liberties of England. Those liberties were never before or since so endangered as they were by the policy of Charles. After the decision in favour of ship-money, Strafford's plan of Thorough bid fair for success. But a few years' peace, and the ship-money would have maintained a standing army; and the liberties of England would have been as the liberties of Spain. At this crisis an act of 'insane bigotry' changed the whole aspect of affairs. The use of Laud's liturgy was forced upon Scotland. Patient under much, the Scotch people would not tolerate that the public worship of God should be profaned, as they thought, by a prelatical service. Constitutional resistance in Scotland was impossible. But they were a turbulent and unruly race: as prompt to appeal to the God of battles as the English had been two centuries before. Their rebellion, and invasion of England, brought upon Charles a war expenditure, and forced him to meet his Parliament. But for that, it is very possible he might have continued to govern without a Parliament, as he had done for eleven years; and, ere the close of his reign, accomplished his cherished design of

transforming the English Constitution into a despotism. With the union of the crowns it might have been confidently anticipated that the independent action of Scotland would end. And such, unquestionably, would have been her fate but for the ecclesiastical innovations of Charles. The fierceness of the passions which they roused elevated Scotland to a prominence and influence altogether disproportionate to her real power; and, at the crisis of 1640, enabled her to determine the political future of the Empire.

'Of the two states united, the small state had ardour and strength sufficient to drag the large state along with it: for Scotland began the contest which after becoming so memorable in British History, influenced the fate of the whole civilised world.'*

The whole of this long struggle, from its beginning with the resumption of the Church revenues in 1625, down to the final outbreak in 1640, is narrated by Mr. Burton with remarkable vigour. He has vividly realised to himself the ever-varying story; and he therefore tells it with perfect sequence, and in true proportion. The narration occupies the greater part of the sixth and seventh volumes; and though minute, as the theme deserves, is never dull or prolix, often strikingly novel and forcible. The writer rises to an unwonted command of the picturesque when he describes the renewal of the Covenant in Greyfriars' Churchyard under the shadow of the castle-rock, or the meeting of the great assembly of 1638 in the Cathedral of Glasgow—a meeting of hardly less historical moment than the meeting of the Long Parliament itself, but for which, indeed, it may well be doubted if the Long Parliament would ever have met at all.

The contest between Episcopacy and Presbyterianism, which had been carried on with varying fortunes, but not, heretofore, with irreconcilable bitterness, or beyond hope of a peaceful settlement, came to a swift decision in this storm. Under the forcing power of oppression, Scotland had in three years become more violently Presbyterian than in the seventy which had preceded. The whole episcopal hierarchy was overthrown, the bishops were deposed, not a few of them excommunicated; and the Presbyterian system of Church Courts formally reconstructed. In 1640 these proceedings were ratified by the Estates, who also adopted the Covenant, and imposed it, under civil penalties, on the whole community.

* Burton, vol. vii. p. 281.

Our limits forbid our following Mr. Burton through the details of this great national crisis; it presents, however, one or two features deserving of special notice.

The popular impression is that the Scotch rebelled rather than submit to the use of any recognised form for the conduct of public worship. This is a mistake. The Scotch had then no aversion to a liturgy; on the contrary, they had long been familiar with the use of one. In 1557 the Lords of the Congregation had agreed that in parish churches the English liturgy of Edward VI. should be adopted. In 1560 that was superseded by the Book of Common Order, commonly known as Knox's Liturgy, of which Mr. Burton* gives an interesting account, describing it as 'less ritualistic in character than the English Common Prayer.' The book, no doubt, had some enemies. There were congregations, even at that date, which rejected it in common with all forms of prayer. On the other hand, there were congregations who preferred the English Prayer-book, and were permitted to use it undisturbed. It is when we contrast such liberality in the national temper with the fanaticism into which oppression and persecution drove the Scotch, that we are able truly to appreciate what evil may be wrought by misgovernment. On the whole, we may safely conclude that the Book of Common Order was popular throughout Scotland. It was used at morning-service in the very church where, in the afternoon of the same day, the introduction of Laud's liturgy roused the wrath of Jenny Geddes. What the Scotch objected to was the substitution for their own service-book of a new and a worse one. Nay, Laud's liturgy differed, for the worse, not only from the Book of Common Order, but even from the English Prayer-book. And in this they suspected—nor can we pronounce their suspicions unreasonable—an insidious design. That design was, they thought, to establish Popery in England; and the present outrage was a cunning experiment on the vile body of Scotland, to discover how much the people would endure. The Scotch Commissioners so put their case in the articles against Laud: 'By this their doing they did not aim to make us conform to England, but to make Scotland first (whose weakness in resisting they had before experienced in novations of government and of some points of worship), and therefore England, conform to Rome, and even in those matters wherein England had separated from Rome ever since the time of the Reformation.' More than all,

* Vol. v. pp. 63–70.

perhaps, the people rose up against the mode in which this Prayer-book was forced upon them. It was the culminating point of a system of innovation long and deliberately carried on; it brought before the people, in one tangible result, the meaning and purpose of the misgovernment which for so many years they had endured. As far back as 1636 Charles had issued at his own hand, and enforced on the clergy by his sole authority, a body of canons for the governance of the Church. These canons contained, it must be confessed, little that was really objectionable, though they did enjoin certain forms which savoured of prelacy; but the flagrant illegality of the mode in which they were imposed incensed the nation far more than their substance.* Even the stanchest Episcopalians murmured; indeed, so high-handed was the usurpation of authority, that it offended the priestly pretensions of the bishops hardly less than it exasperated the declared opponents of the royal prerogative.

A strange zeal for special points of doctrine and form moved certain of the Stuart race. James II. 'lost three kingdoms for a mass;' Charles I. raised the rebellion which cost him his kingdom and his head for a liturgy. It seems probable that, in matters secular, he might, so far as Scotland was concerned, have indulged his tyrannical nature with impunity. Constitutional resistance was, as we have said, impossible; and the people would not readily have taken up arms for any lighter cause than purity of worship. So far as we can now judge they were animated by no dislike to the person of the Sovereign —even when they delivered him up to his English subjects, in a manner more illustrative of the national prudence than of the national chivalry. Beyond doubt they were not urged by hostility to the throne. They at once proclaimed Charles II. as his father's successor; and opposed themselves, in support of the monarchy, to the whole power of Cromwell. But the one thing they could not away with, which they were resolved to resist at all hazards and to the last, was aught that savoured of Popery. And this was what they believed to be thrust upon them.

At the same time the people could not fail to remark, as a symptom of the same policy, a subtile and persistent system of encroachment on the privileges, such as they were, of the Scotch Parliament. It is difficult, indeed, to say whether hatred of the kirk or love of despotic power was the leading motive with the Stuart kings. Charles was, after a fashion, a keen Episcopalian; and James had a very natural dislike for the austere and rude zealots who had so often rebuked him and set him at naught. But no motive could long hold sway in the infirm mind of James; and Charles, on an emergency, had no scruple in giving his royal sanction to an Act declaring Episcopacy contrary to the Word of God. We suspect that, on the whole, much as the Stuarts loved Episcopacy, they hated freedom more; but their policy was of a piece. The liberties of Scotland were at that time involved in the independence of the Church, and so could be, and were, attacked together.

The grievances of which the Scotch complained may be gathered from the explicit statement which they made of their demands on the eve of hostilities. These were:—the abolition of the Court of High Commission; the withdrawal and disavowal of the Book of Canons, the Book of Ordination, and Laud's Service-book; a free Parliament; and a free General Assembly.

Charles took part in this contest with his usual weakness and duplicity. He issued a solemn Declaration assuring 'all men' that he would not press the Canons and Service-book but in a fair and legal way; and at the very same time he wrote to Hamilton the Lord High Commissioner, declaring that 'I will rather die than yield to those impertinent and damnable demands.' He threw away his only chance of beating the Scotch when they first invaded England; thinking to ward off the danger by entering into negotiations which, on his part, were a mere pretence. Mr. Burton seems even to credit the story—widely believed at the time—that the Irish rebellion was secretly stirred up by the court, and that Charles, when in Scotland in 1661, actually sent the Irish rebels a Commission with the Great Seal of Scotland, authorising them to make war upon 'all English Protestants' within the island. When we remember that, through ill-luck or treachery, all this miserable faithlessness was known to his opponents, we cannot but wonder at their long-suffering. It were beyond the scope of this article to dwell upon the part played by Scotland during the civil war—her triumphs and her humiliation. The secular affairs of Scotland during this

* One of these canons, whatever may have been thought of it then, would be highly approved by many Presbyterian congregations at the present day. 'Albeit the whole time of our life be but short to be bestowed in the service of God, yet seeing He tempereth that work to our weakness, it is ordained that preachers in their sermons and prayers eschew tediousness, and by a succinct doing leave in the people an appetite for further instruction, and a new desire for devotion.'

time—and, indeed, ever since the accession of James to the English throne—really form part of the history of England, and have been so regarded by English historians. Mr. Burton, feeling this, has treated them with brevity; his reviewer may be permitted to pass them over in silence. It seems better to complete our sketch of the development of Scottish ecclesiasticism; worthy of attention both from its peculiar features, and because of the influence which it long exercised, and, to a considerable extent, still exercises, over the people.

Few sovereigns have ever enjoyed nobler opportunities of beneficent legislation than Charles II.; and especially as touching the affairs of the Churches. In England wise and firm statesmanship might have restrained the fury of the restored cavaliers; might have redeemed the errors of Elizabeth; and, to the exclusion doubtless of many zealots and fanatics, might have embraced, within one liberal and expansive Church, men, differing indeed in opinion, but differing in moderation and with mutual indulgence—such men as Usher on the one side, and Baxter on the other. In Scotland a like work of peace and reconciliation would have been more easy. For there no powerful body of exiles had returned, thirsting for revenge, resolute against concession. On the contrary, the state of Scotch parties gave promise of a ready compromise. The wild zealots of the West, though protected, had been tamed by the administration of Cromwell. And in the days of their power they had so borne themselves as to have alienated the great bulk of the people. Many even of the stern soldiers who followed Leslie across the Tyne had cooled in their zeal for the Covenant. For, in their minds, the rebellion and the dream of three covenanted kingdoms was now associated with the great overthrow of Dunbar, and years of alien domination. To the younger generation the gloomy doctrines of a past time seemed to fly away before the new day of peace and toleration which was dawning with the restoration of their native princes. The aristocracy, secure in their possession of the church lands, had forgotten their Calvinistic zeal; the clergy were anxious for rest, and as a class thoroughly loyal. It would, then, we firmly believe, have been a work of no great difficulty to have devised a system of Church government, partly Episcopalian, partly Presbyterian in form, the establishment of which would have been welcomed by the whole nation, with a few insignificant exceptions.

Unhappily, a very different course was pursued: all idea of compromise was laid aside. The Covenant was burned by the common hangman; the whole Presbyterian polity swept away; the General Assemblies, so dear to the people, closed; Prelacy in its strictest form established—the bishops being restored to more than their former power, if to less than their former splendour*—upwards of 300 clergymen turned out of their livings because they would not deny the orders they held, and accept Episcopal collation. To what we should ascribe this wantonness of tyranny it is not very easy to discover. Sir George Mackenzie gives a curious account of a solemn Council on Scotch affairs, in which the question of Episcopacy versus Presbytery was debated.† The establishment of Episcopacy was urged by Middleton and Glencairn—the one a brutal soldier, the other an ignorant and presumptuous peer; and both inflamed with the passions and folly of men who had long been exiles. On the other hand, the inexpediency of such a violent policy was forcibly pressed by Lauderdale, Crawfurd, and Hamilton. The debate is set forth by Mackenzie with considerable dramatic power; and the argument is all one way. So far as we know, every Scotchman whose opinion had any claim to respect, concurred with Lauderdale and Hamilton. Even the traitor Sharp did not desert the cause he had undertaken to uphold without some effort on its behalf. What, then, induced the adoption of a policy, certainly wicked—that, indeed, was a trifling matter—but not less certainly dangerous and cruel, and so far repugnant to the nature of the king? Kirkton thus accounts for the determination which was arrived at:—

> 'They (the bishops) were the best tools for tyranny in the world; for do a king what he would, their daily instruction was, kings could do no wrong, and that none might put forth a hand against the Lord's anointed and be innocent. The king knew also that he should be sure of their vote in Parliament, desire what he would, and that they would plant a sort of ministers which might instil principles of loyalty into the people till they turned them first slaves, and then beggars.'

Such views might well have influenced Charles I.; hardly, we think, his more indifferent son. He certainly disliked Presbyterianism as much as it was in his nature to dislike anything at a distance; but even the recollection of his dismal royalty in Scotland would not have reconciled him to the infliction of great suffering, and to the risk of

* Kirkton describes the bishops of 1612—restrained by Church Courts—as 'mere pigmies' compared with the bishops of the Restoration.

† Memoirs, pp. 52–56.

a desperate resistance. He would have been well content had every man in Scotland turned Mahometan, if so only they gave no trouble to him. But his Ministers were men of different mould. The vindictive hatred which Clarendon bore towards the Puritans must have extended to the Presbyterians; nor can we believe that at this time the bigotry of the Duke of York was without weight in the counsels of the king. Nevertheless, the blame of what ensued must rest mainly with his Scottish advisers. Had the king been fairly made aware of the consequences of the course he was following, he would probably have paused. Unhappily such men as Lauderdale and Sharp, rather than risk a temporary loss of court favour, abjured their opinions and betrayed their trust; and stooped to the exceeding baseness of persecuting that form of worship in which they had been brought up and which in their hearts they preferred.

Principal Tulloch of St. Andrew's recently made an ingenious effort to relieve the memory of Sharp from the weight of infamy which rests upon it.* Every respect is due to such a vindication from such a quarter—from a man who, while a good churchman, is yet a thorough and steady Liberal. We cannot, however, think the defence made out. The charge against Sharp is not, as Principal Tulloch seems to suppose, that he went to London with any design to play the traitor. The mission which he undertook he probably intended to fulfil. But he would not imperil his own advancement; he was unable to withstand the slightest frown of power. Animated by no conceivable motive save mere self-seeking, he deserted the cause he was sent to support, concealed his perfidy with a complete cunning, blinding even the most suspicious by his assumption of sanctity, of disappointment, of weariness with the world—he all the while being in effect Archbishop of St. Andrew's, devising the subtlest and safest mode of carrying out the designs of the court, and waiting only opportunity to oppress his former friends with more than the proverbial pertinacity and cruelty of a renegade. He had capacity for affairs, and a courage which commands admiration: he was a faithless partisan, an obsequious self-seeker, a cruel ruler, an apostate priest: and the influence of a profession which, if insincere, cannot fail to corrupt, debased his nature even below the nature of Lauderdale.

Mr. Burton has devoted considerable labour to the character and conduct of Sharp. He has given large extracts from the Archbishop's correspondence with Lauderdale, and so brings the man fully and fairly before us. He, too, entirely rejects Dr. Tulloch's defence; and no one, we should think, can read the 77th and 78th chapters of his history without adhesion to his severer views. Principal Tulloch himself, if we may judge from an expression in a recent article by him in 'Macmillan's Magazine,' seems now to entertain doubts of his own lenient judgment.

It is, indeed, difficult to speak too strongly of the evil which these men wrought to their country. It may be urged that no firmness would have successfully upheld Presbyterianism against the first fervour of the Restoration. But, had Scottish statesmen been commonly honest, the prelacy established would have been of a very different type, and would have been enforced by very different means. Charles himself was the reverse of a persecutor; and the ideas which from time to time gained a temporary ascendency in his councils, as at the fall of Clarendon, and again at the overthrow of the Cabal, were utterly hostile to such a government as the government of Scotland, had the reality been fully known. Even as it was, what slight relaxations of the heavy yoke took place from time to time were all concessions from England; the full fierceness of the tyranny was of home growth. The nobles, no longer apprehensive that the restoration of Episcopacy might involve the resumption of the church lands, and not indisposed to overthrow a democratic church, were obsequious to the lightest wish of the court, and carried the court policy into excesses from which English statesmen would have shrunk; the gentry eagerly followed the lead of their superiors; the clergy, from Sharp urging on the fiery persecution at the Council Board to the curates who furnished lists of their non-conforming parishioners to Claverhouse's dragoons, were resolute on the complete triumph of their own sect. The power was supplied by England; the actual work of oppression was intrusted to native greed and cruelty. As Mr. Burton observes, there was a meanness about the whole thing which makes the designs of Charles and Laud appear dignified—almost excusable. For in them there was at least something of an idea; the delusive dream which mocked the king and the prelate was to restore the splendour of ceremonial, the wealth of decoration, the ritualistic symbolism which the Church had lost; and without which they believed—nor does the teaching of history contradict them—no

* See Article, Archbishop Sharp, 'North British Review,' June 1867; an article stated by Principal Tulloch to be his in 'Macmillan's Magazine' for December 1870.

church can hold lasting dominion over the imaginations of men. But, in the Government of the Restoration, the largest charity can discern no motive which is other than base, material, and self-seeking. In contrast, even the Revocation of the Edict of Nantes looks like an act of statesmanship, dictated, if by intolerance, at least also by sincerity.

At no period of Scottish history, as we remarked in our former notice of Mr. Burton's book, have her nobles, as a class, been much to boast of. But the rulers of this unhappy time had attained a peculiar eminence in vice. Besides their cruelty, they evinced a general depravity of nature which it is hard to parallel. Even the feeling of honour was dead among them. The assassination of Archbishop Sharp was doubtless a great crime; but the guilt of it seems trivial in contrast with the judicial murder of Mitchell, at whose trial all the chief members of the Privy Council—Sharp himself included—committed deliberate perjury, in order to secure the death of a crazy fanatic, whom they had already half-killed with torture, until even the Scottish judges of that day hid their faces with their hands from shame or from fear.

A curious disposition to defend the Restoration Government has lately appeared in some quarters. It is of recent growth even among Scotch Tories. Hume calls the legislation of the Scotch Parliament at this time 'an excellent prelude of all the rigours of the Inquisition;' and his deliberate judgment is that 'it were endless, as well as shocking, to enumerate all the instances of persecution, or, in other words, of absurd tyranny, which at that time prevailed in Scotland.' But the loyalty of the historian of the house of Stuart has been rejected as weak by the Tory sentimentalists of our day. They accuse even Sir Walter Scott of leanings towards the Covenant. In order to the success of this re-hearing of the judgment of history, the cruelty charged against the Government must be disproved; and accordingly much labour has, with this object, been bestowed on what Mr. Burton, with a somewhat dismal jocularity of the legal type, calls the 'leading cases' of the Christian carrier and the Wigtown martyrs. The late Professor Aytoun distinguished himself by an elaborate argument to show that Claverhouse had nothing to do with the murder of John Brown—was not even present at it. This was conclusively disposed of by Mr. Mark Napier, who published the original despatch of Claverhouse himself, giving a cool and minute report of the whole tragedy. But Mr. Napier having demolished Mr. Aytoun's position, must needs set up a novelty of his own. Accordingly, he propounded the theory that the women—commonly known as the Wigtown martyrs—were never drowned in the Solway at all. The arguments—if they may be so called—by which Mr. Napier endeavoured to maintain his discovery have been already disposed of in this Journal.* We do not propose to renew the discussion. The matter has been put beyond the reach of doubt in a volume lately published by Dr. Stewart, the parish minister of Glasserton—an admirable specimen of historical investigation; thorough in research, moderate in tone, and judicial in its conclusions. Even the patience and courtesy of Mr. Burton cannot regard the extravagances of Mr. Napier as deserving of a serious answer. The closing chapters of his history have conclusively, and, it may be hoped, finally disposed of these foolish and mischievous attempts to defend the Scottish administration of Charles II. They are fair, indeed, and impartial; because Mr. Burton cannot write otherwise than fairly and impartially; but here, at least, he escapes from Arnold's condemnation of the impartiality of indifference: along his pages there lives a genuine love of liberty and truth which commands our heartiest sympathy and admiration.

Such a struggle as that which we have hastily sketched could not fail to leave enduring traces. Its immediate effect was, undoubtedly, to increase the power of the clergy. The sufferings they had undergone in the cause of truth and freedom could not fail to strengthen their hold upon the people. Beyond question they misused their power. Not content with persecuting the fallen prelatists—which cannot be held altogether without excuse—they sought to extend their austere rule over all society; called in the secular arm to enforce orthodoxy and morality; punished with death alike the folly of expressing heterodox opinions and the licentiousness of marrying a deceased wife's sister. Everyone remembers the terrible indictment drawn up against them by Mr. Buckle; but it is unfair, with Mr. Buckle, to hold the clergy alone responsible for these cruelties. They were, at the worst, true exponents of popular feeling. It should not be forgotten that, irrespective of the influence of Reformed doctrine, there grew up all over Europe, at the close of the sixteenth century, a vehement reaction against the profligacy of the age. In France that reaction had shown itself in the austerity of the Huguenots; in England it sowed the seeds of Puritanism; in Scotland it ran

* Edin. Rev., July, 1863.

to wilder extremes, intensified by the temper of the people, and the persecution they had endured in the cause, as they thought, of morality and truth. The clergy used their power unsparingly—often iniquitously; but their power would have been slight had they not been supported by public opinion. The statesmen and lawyers who, without the excuse of sincerity, lent themselves to such a policy, incurred far deeper guilt. It may have been due to the influence of the clergy that, after the Reformation, adultery was made a capital offence, and fornication brought under the criminal law;* but for ecclesiastics to mistake the true sphere of jurisprudence is not very extraordinary or blameworthy. The blame rests rather with the laymen who allowed such legislation, and enforced it. One of the most vigorous efforts of the Scottish tribunals in behalf of morality was the execution of a tailor for marrying 'his first wife's half brother's daughter;' and that took place in 1630, a time when the influence of the Presbyterian clergy was not great.†

Whatever may have been its extent, the interference of the clergy in the administration of the law was not of long duration. But it is often alleged that they retain to this day a pernicious sway over the minds of the people. This, we are persuaded, is an erroneous view. The lowland Scotch at least are not priest-ridden; they accept, doubtless, many priestly dogmas, but they do so because persuaded of their truth. Those only who unthinkingly believe whatever a priest tells them, or do whatever a priest bids them, are in truth priest-ridden. For example, at the last general election, we read that a clergyman in South Shropshire, 'finding that numbers of his parishioners had promised to vote for Mr. More, went about telling them that they were about to vote for the Pope, for the Queen to be beheaded, and Protestant clergymen to be burned for their faith.' Now, if it be true that any reverend canvasser by such means induced his parishioners to break their promises, we may, without much want of charity, regard those parishioners as 'priest-ridden.' But men open to such influences would be hard to find in any parish in Scotland. The Scottish peasant has many extravagances of creed which he often carries into severity of action; but he has thought them out for himself; and we believe that in many parts of Scotland at the present day, there is more control exercised *over*, than *by* clergymen.

And here it is that we trace the bad effects of the struggles of the seventeenth century—not in the present power of the clergy, but in the austere beliefs to which the people yet cling; partly because congenial to the national intellect and temper, but far more because they have come down hallowed by the authority of the stern teachers of the old time. Hence the real state of ecclesiastical matters in Scotland is this, that while the bulk of the population adhere to those beliefs, and to the unattractive forms of worship which are associated with them, the educated class is becoming more impatient of them every day. The clergy, as a body, must go with the majority; and the result is that in few countries do cultivated and liberal men stand so entirely aloof from clerical influence as in Scotland at the present time. These men are not irreligious. On the contrary, they have, we suspect, a more intelligent interest in theological questions than the same class in England—certainly far more than was entertained by their own forefathers; but they find nothing in the clerical teaching around them which they can respect or believe.* There are some men in the Scotch churches who are capable of supplying this want; but their number is too few to permit hope of a speedy change.

On the other hand, the Presbyterian Church has never been powerful for much good. In the first place, it should never be forgotten that to the revolt of 1640 not only Scotland, but England likewise, owes her freedom. The subsequent influence of the Presbyterian polity has been, on the whole, in accordance with that beginning. The presence of the laity as a ruling power in the Church has been a check, more or less stringent, on clerical pretensions. The right of representation conceded to all; the gradation of church courts—synods, presbyteries, assemblies—exercising their jurisdiction according to prescribed rules, and in which freedom of discussion is unrestrained, could not fail to foster principles favourable to liberty, or at least hostile to the despotic exercise of authority. Moreover, the long resistance to power left a feeling of independence very active within the Church. This became conspicuously manifest after the enforcement of patronage by the Tory

* An offender in this sort for the *third* time, in addition to fine or imprisonment, was 'to be tane to the deipest and foullest pule, or water of the towne or parochin, there to be thrice dyuked; and thin after banished the said towne or parochin for ever.' (*Act. Par.*, 1567.)

† Arnot's Criminal Trials, p. 306.

* See a valuable essay on 'Church Tendencies in Scotland,' by Dr. Wallace of Edinburgh, in 'Recess Studies,' 1870.

Minister of Anne; and since then it has broken out from time to time in those great movements of Dissent which form so marked a peculiarity in Scottish ecclesiastical history. The Dissenting bodies in Scotland hold a very different position from their brethren in England. Few Scottish churchmen would go with the clergy of the diocese of Oxford in classing together Dissenters and beershops as the great evils they have to strive against. 'When a country squire hears of an ape, his first feeling is to give it nuts and apples; when he hears of a Dissenter, his immediate impulse is to commit it to the county jail, to shave its head, to alter its customary food, and to have it privately whipped. This is no caricature, but an accurate picture of national feelings.' This was true when Peter Plymley wrote it sixty years ago; and something of the feeling lingers in England still. But in Scotland the Dissenter cannot be so regarded. He is too powerful. If not liked, he is at least respected, even by the lairds; and the Dissenting clergy are, as a rule, Liberals. Hence, if we include all denominations, we find that in Scotland clerical influence is, in secular politics, on the liberal side.

Moreover much of the evil we have indicated is in fairness chargeable, not against Scottish Presbyterianism, but against those who persecuted it. At the union of the crowns it would have been easy to have given Scotland a system of church government which would have reconciled all classes, and rendered possible the harmonious development of the religious life of the country: and even after the Restoration such a task would not have been beyond the reach of any statesmanlike capacity. An opposite course was taken in the very wantonness of tyranny, and those who took it are mainly responsible for the varied and long-enduring mischiefs which were inseparable from such a policy.

The general condition of the country from 1567 to 1688, the period embraced by these volumes, was deplorable. A discerning eye might even then have seen, in the growth of the middle-class, good promise for the future; but there was little of present happiness or prosperity. The ten years of the usurpation formed a brief exception; Cromwell's government of Scotland conclusively refutes Mr. Hallam's charge—that he 'never showed any signs of a legislative mind or any desire to place his renown on that noblest basis—the amelioration of social institutions.' It is impossible to exaggerate the benefits bestowed on Scotland by his legislation. He bridled the Highlands, he silenced the Church, he reformed the constitution. He gave her purity of justice; allowed perfect free-trade with England; opened to her enterprise the expanding field of English commerce;* abolished private rights of jurisdiction; swept away the whole complex machinery of feudalism. He anticipated not only the union of 1707, and the reforms of 1748, but even the commercial and legal legislation of our own day. How far the great Protector was in advance of his age is strikingly illustrated by the fact that, in a Parliament elected in 1868, all the learning and power of the present Lord Advocate can hardly succeed, against professional interests and professional prejudice, in setting the law of Scotland as free from the trammels of a worn-out system as Cromwell left it. With the restoration of her 'native princes' came back all Scotland's miseries. The Navigation Acts of 1660 denied her any share in the trade of England; and thus, during the unprecedented advance of that country from the Restoration to the Revolution, Scotland was every day becoming poorer. When Mr. Burton's history ends we are at the nadir of the national happiness and prosperity. The Revolution, of course, put a stop to persecution. But William could do little or nothing to advance her material well-being. There was, and could be, no real improvement in this respect till after the union of 1707.

These concluding volumes of Mr. Burton's work are in every way superior to the former ones. The themes with which he has had here to deal are, for the most part, better suited to his powers, and possess a more practical interest than the purposeless, if romantic, turbulence of the early period. Accordingly he has entered into them with zeal, and treated them with fullness and originality. Also, when occasion offers, he shows command of a richer descriptive power, and greater felicity in narrative. In his style, too, there is a marked improvement. The force and vigour remain; the harshness and inelegancies have, in great measure, disappeared. Blemishes, however, may yet be traced:—of phraseology, as in the use of such a word as the word 'genteel;' of quaintness amounting to absurdity; as when a reckless policy is compared to 'the violent frolics of the young men who in the present day wrench off knockers and upset policemen;' of confused and even ungrammatical expression, as in the following sentence:—'The unconspicuous and silent

* How rapidly Scotland thrived during this short period may be gathered from the sum subscribed to the Darien Expedition by Glasgow alone—56,000*l.* Such a sum would have been thought fabulous before Cromwell.

growth of the powers destined to come into contest in great convulsions are the most important, yet the least obtainable, portion of the history of any notable epoch in the history of a large community—and the community involved in the Scottish movements of the day was a large one, for it was the whole of the British Empire.'* Here, too, as before, the pleasure of the reader is marred by the want of method. In the treatment of the various subjects due regard is not paid to truth of historic proportion; and one topic succeeds another with an abruptness which is provoking and confusing—the reader, absorbed in some vital aspect of the great ecclesiastical strife, on turning the page, finds himself without warning plunged into the details of a miserable Highland feud. It is with great regret that we find Mr. Burton still open to the charge of inaccuracy. It has a curious pagan effect to see the thanksgiving of the Huguenot prayer-books styled the 'Action *des graces;*' and, if that may be looked on as a slip of the pen, no such excuse will avail for the following carelessness. Speaking of Sharp, Mr. Burton says:—

'We are told how, presiding at a witch-trial, he was confounded and showed symptoms of terror when the victim asked him who was with him in his closet on Saturday night last betwixt twelve and one o'clock. He confessed to Rothes, who was inquisitive on the matter, that it was "the muckle black devil."'

This of course implies, either that Sharp shared the popular belief in a compact between himself and the Prince of Darkness, or that he was amusing himself at the expense of his colleague with a grim humour of which we have no other trace. But the story, as really told by Wodrow, relieves us from this puzzling alternative. Rothes did not make his inquiries of Sharp, but of the prisoner; and the confession came, not from the Archbishop, but from the witch.

It is impossible to deny that this inaccuracy, even in the more modified form in which it appears in these volumes, seriously detracts from Mr. Burton's reputation as an historian. Taken together with his love of paradox, it shakes our faith in his guidance. He is incapable of wilfully misleading; his impartiality is beyond question; his research is great; yet he seems to want that craving for truth, that impatience of any chance of error, which is the first virtue of an historian. He comes under the censure of Thucydides —*οὕτως ἀταλαίπωρος τοῖς πολλοῖς ἡ ζήτησις τῆς ἀληθείας, καὶ ἐπὶ τὰ ἑτοῖμα μᾶλλον τρέπονται*; with, perhaps, this qualification, that Mr. Burton's *ἀταλαιπωρία* throws him back not so much on the *ἑτοῖμον*, as on the paradoxical and the fanciful.

We much regret that Mr. Burton should not have included in his work some account of the development of Scottish jurisprudence during the seventeenth century. Amidst the convulsions of civil war and the storms of religious persecution—even in spite of the blighting influence of judicial corruption—the municipal law of Scotland was then undergoing a course of improvement, both in form and substance, unexampled either before or since. Statutes of prescription were passed; the law of tithes was settled; sound principles of bankrupt law were recognised; valuable enactments were made for the encouragement of agriculture; in the process of 'ranking and sale' some of the most advanced principles of modern land legislation were anticipated. The men who devised these measures—the lawyers of the seventeenth century—we know to have been men of learning and accomplishment, sound jurists, good scholars, eloquent rhetoricians. Looking at their legislation, we cannot but believe that they must also have been animated by a desire to improve the jurisprudence and advance the prosperity of their country. On the other hand, they were, many of them, cruel bigots, subservient tyrants, faithless and corrupt. Nor did this side of their characters fail to leave its mark. They pressed upon the people a criminal law in which regulations sometimes strangely favourable to the accused were nullified by vicious practice; they administered, without remorse and without thought of change, the Scots law of treason, which Mr. Hallam justly stigmatises as 'one of the most odious engines that tyranny ever devised against public virtue;' they introduced a rigid system of entails exactly four hundred years after the English nobles had inflicted this evil on their country, and more than two hundred years after the boldness of the English judges had, in Taltarum's case, found out a remedy. The strange combination, in those men, of culture and barbarism; of sagacity, patriotism, and statesmanship, with bigotry, cruelty, and oppression; and the result of all, not only on the law, but on the whole national development, would have afforded material for an interesting and instructive page of history.

We regret even more Mr. Burton's silence as to matters academical. Education has always been, as it were, a specialty of Scotland; and no history of that country can be regarded as complete in which her peculiar

* Vol. vi. p. 472.

and long-established system, both of school and university training, is disposed of in some half dozen pages. As a mere question of art some detailed account of the origin of the older universities might have afforded a picturesque relief to the gloom of early Scotch history. How effectively, for example, Mr. Motley varies his sombre story by his description of the pompous ceremonial which attended the foundation of the university of Leyden. Of yet higher historical value would have been a clear account of the great educational scheme of Knox—what was its scope, how, and by whom, it was frustrated. For Knox's wide designs, though much talked about, are not generally known; and an exposition of them would, at this particular time, have been signally opportune.

With all its faults and shortcomings, which we have not been slow to indicate, Mr. Burton's work is now, and will probably continue to be, the best history of Scotland. So far as matters ecclesiastical are concerned, it has, and need fear, no rival. So far as regards the War of Independence, it holds the same position of superiority. If on minor points he has been less successful; if his narrative sometimes fails to attract, or his argument to convince; if we can mark omissions which mar the completeness of the work; we may yet feel justly grateful to the historian who has for the first time placed before us in the light of truth those aspects of Scottish history which are most worthy of study and best calculated to reward it.

Art. V.—1. *Letters from Rome on the Council.* By Quirinus. Reprinted from the 'Allgemeine Zeitung.' Authorised Translation. London: 1870.

2. *The Vatican Council and its Definitions.* A Pastoral Letter to the Clergy. By Henry Edward, Archbishop of Westminster. London: 1871.

3. *Erklärung an den Erzbischof von München-Freysing.* By Professer Döllinger. Munich: 1871.

4. *Appel aux Évêques catholiques.* By the Père Hyacinthe. 1871.

5. *Documenta ad illustrandum Concilium Vaticanum Anni* 1871. Edited by Professor Friedrich. 1871.

The 8th of December, 1869, will be a day long remembered in the annals of the Roman Church. It was the opening of the First Council of the Vatican. The external aspect of the City was overcast by the unusual severity of the winter, and the incessant deluge of rain which seemed to recall the second ode of Horace. The yellow Tiber rose, '*retortis undis*,' over the recently discovered quays, and heaven and earth seemed to meet in one black cloud. But inside the great Basilica the splendour of the scene was such as can well be conceived by anyone who has witnessed the Pontifical functions of the Sovereign in St. Peter's. We can all of us imagine the long succession of prelates, clothed in the white robes worn in honour of the Immaculate Conception, whose singular anniversary they were thus studiously made to commemorate. We are thrilled with the vast roll, as of a troubled sea, of the innumerable multitude which filled even that enormous area. We can figure to ourselves the venerable Pontiff Prince, seated on his exalted throne, at the end of the Council-hall, which had been constructed out of the north transept of St. Peter's; the Cardinals in scarlet, on their crimson benches, on his right hand and his left; the pseudo-patriarchs from the barbaric East, in their gorgeous attire, beneath his feet; the archbishops, bishops, and abbots according to their precedence ranged along the hall, to the point where it opened on the vast church itself; the galleries on either side filled with the diplomatic, legal, and theological assistants; and the 'crowned heads,' (or rather as a high Roman ecclesiastic wittily observed, 'the discrowned heads'), for the first time in the history of Councils, relegated from their places on the floor of the house and in the passion of debate to the attitude of dumb inactive spectators. On the walls of the chamber were hung pictures of the Councils of Jerusalem, Nicæa, Ephesus, and Trent, so contrived as to raise, regardless of all historical truth, the Pope or his supposed representatives to the highest pitch—Peter instead of James, the foremost figure at Jerusalem; Sylvester or his legates, instead of Constantine, Hosius, and Eusebius, the leading figures at Nicæa. Round the lofty cornice ran the inscription: 'I have prayed for thee, that thy faith fail not,' on which was based, regardless equally of all Biblical science and of all Patristic interpretation, the infallibility of the modern Pope. Human ambition has rarely reached a higher point than that which must have swelled the breast of the aged Pontiff, as he thus saw the wish of many years fulfilled, and the representatives of his Church gathered from all parts of the world to bestow upon him the proudest attribute that mortal man ever claimed.

Nor was this outward impression materially altered, if from the opening of the Council

we pass to its close. The elements, indeed, again frowned on the assembled Fathers. Of the last, as of the first day, it was remarked that they were the two darkest and most depressing days that Rome witnessed during the whole of that eventful year. After a long unclouded blaze of the Roman summer sun, continuing for the last weeks of June and the first weeks of July, the windows of heaven were again opened, and the rain descended in such torrents that the promised illumination was of necessity suspended, and the Roman populace could hardly make its way to the Basilica. The thunder pealed and the lightning flickered round the hall, drowning the voices and distracting the attention of those who, one after another, shouted '*placet*,' whilst each thunder peal and each lightning flash seemed to announce the response. So dense was the darkness after the voting was concluded, that a huge taper had to be placed by the Pope's side, to enable him to read the decree of his own infallibility. To many, no doubt, this lowering of the heavens might have naturally seemed a sign of the Divine displeasure at this culminating act of folly and superstition. Yet to its adherents the Pope might well be regarded at that moment as a second Moses declaring the last revelation amidst the thunderings and lightnings and thick darkness of a second Sinai. And if the ardour of the promiscuous crowd was quenched by the violence of the tempest, if the diplomatic galleries were empty, by virtue of the prudent abstinence of the European courts from giving even the slightest sanction to an act which all had deprecated—on the other hand, the apparent unanimity of the Prelates (two only, and they of the most insignificant* sees and the most insignificant character, protesting against the five hundred and thirty-three of the subservient majority) gave to the event at least the semblance of that catholic assent which the Papal party had always desired, and which the Pontiff himself had been led to expect. 'A more effective scene,' says an eye-witness, 'I never beheld. Had all the decorators in Rome been employed, nothing approaching to the solemn splendour of the storm could have been prepared, and never will those who saw it and felt it forget the promulgation of the first dogma of the Church.'

Such was the external spectacle which alone met the eye of the faithful during the public sessions of the Council. It may well be believed that there were many to whom on the spot this dazzling pageant occupied the whole horizon. It is said, indeed, that even for months before the opening of the Council it was almost impossible to divert the attention of the Chief Person concerned from the questions of dresses, of scaffolding, and of processions to the gravity of the consequences in which it was probable that the Church itself might be placed. It may, however, be pardoned to those who from a distance can take a more impartial view of the whole transaction, to act the part of the slave in the ancient Roman triumph, and to whisper in the ear of this seemingly more than Capitolian conqueror the warning of his mortal frailty. 'The things which were seen' were splendid, but they were transitory; 'the things which were not seen' on the outward surface belonged to the 'eternal' interests of Christianity and of mankind. It is on these that we desire to fix the attention of our readers, whether in the light of the inner history of the Assembly itself, or of the portentous year which has succeeded to it.

I. It is not our intention to pry into the 'secrets' of the Council. Not only is the information on this subject necessarily imperfect, and waiting for the powers and knowledge of a Sarpi to sift, classify, and reproduce, but the larger part of it, even if correct, belongs to that most fugitive and worthless kind of historical study—the narrative of intrigues and counter-intrigues, plots about nothing, personal recriminations and contradictions. They may be necessary to the materials of history; they are not history itself. But there is a general result at once incontestible and full of instruction. In the record of facts which no one doubts, the story of the Vatican Council has revealed to the public gaze the internal divisions which rend asunder the unity of the Roman Catholic Church from its summit to its base. A foreign Catholic theologian of great eminence addressed to an English Protestant divine, on his way to Rome in the autumn of 1869, the well-known words with which Lucretius congratulates those who from a safe position enjoy the pleasure of watching trouble not their own, '*suave mari magno*,' &c. His speech was as true as it was generous and candid. For once the distractions and variations of Protestantism shrank into insignificance before the wider chasms which yawned between the contending sections of Roman Catholic Christendom. There was, before the Council began, an apprehension or a hope that these divisions would be concealed by the

* The two protesting bishops were Ricci of Cajazzo, and Fitzgerald of Little Rock. It was impossible for the wits of the Papal Court to resist the remark that the Little Rock had set himself up in vain against the Great Rock of Peter.

inherent difficulties of the language used, and by the exclusion of the public from the Council Chamber. And no doubt to a great extent these expectations were realized. No authentic report of the speeches was ever published. Publicity, the one indispensable guarantee of the freedom and the value of discussion (as we ventured to remark before the Council opened), was carefully prohibited. The acoustics of the hall were confessedly in the highest degree defective. The pronunciation, not to speak of the understanding, of Latin in many instances was no small difficulty in such a mass of heterogeneous nationalities. The restrictions on the delivery of speeches rendered a debate, in the common sense of the word, almost impossible. These were, no doubt, serious drawbacks in the way of regarding the proceedings of the Council as an adequate expression of the intelligence even of those who were present. But still the fact that they were foreseen led in some degree to their being surmounted. The debate in fact opened before the Council began. Each leading prelate, as he left his diocese, perhaps in anticipation of these very obstacles, fired off in parting a manifesto of his sentiments. The Catholic journals in all parts of Europe joined in the fray. And this combat not behind, but before the scenes, was continued more or less through the whole Council. Letters from the contending prelates, published—especially on the side of the minority—in foreign countries, were constantly appearing. Speeches, sometimes those which had been delivered, sometimes those which had been intended to be delivered, were printed and circulated. Laymen, distinguished by rank or by intelligence, became in Rome the centres of the opposing camps. The watchwords of Fallibilist and Infallibilist became as definite, as well recognized, as Protestant and Catholic. The several nations of the Old and New World fell into the ranks of one or other of the two parties. The Italian bishops, the Spanish bishops, and the English bishops were on one side. Most of the German and half of the French were on the other. The Bishop of Laval denounced the Bishop of Orleans as the centre of a conspiracy too shameful to be expressed in words. The Bishop of Orleans not only attacked directly his brothers of Malines and Westminster, but launched his thunderbolts against the chief organs of the Papal Court —the 'Civiltà Cattolica' and the 'Univers.' If we can imagine such a thing as a pastoral address by the late Bishop Philpotts to the editor of the 'Record,' we can form some notion of the virulence of attack and defence between the hostile representatives of French Catholicism.

Nor was it possible for any precautions of the Papal Court to hide altogether from public view the scenes* which took place at Rome, in or out of the Council Chamber. There was the violent outbreak in the hall when Strossmeyer ventured to defend such Protestants as Leibnitz and Guizot, when the tumult became so loud that the servants of the bishops, who stood outside the church, drew their swords to defend their masters within; when an American bishop said of himself, not without a touch of patriotic pride, that he knew now one assembly rougher than the Congress of his own country.† There were the ungenerous insults heaped on the memory of the devoted champion of the Church—Montalembert; the angry taunts with which the Pope announced his death in one of his solemn audiences; the prohibition of the funeral service, to which as a Roman patrician he was entitled, in the Church of Ara Cœli; followed by the permission, reluctantly extorted, to celebrate mass in an obscure church at a time when no one could attend, for the soul 'of a certain Charles' ('*uno certo Carlo*'). There was the storm of reproaches against the Latin patriarch of Chaldea, who succumbed from mere terror, and his three associates who, with true Oriental cunning, evaded the necessity of answer by feigning first ignorance which covered their absolute silence, and then illness which covered their absence. There were the repeated complaints of French bishops, who spoke of the reproduction before their eyes of the robber synod of Ephesus—the *ludibrium Vaticanum*—'the absence of the conditions of order and liberty, without which a Council cannot exist;' the pathetic speech of the Cardinal who exclaimed, '*Mon cher, nous allons aux abîmes;*' the declaration of one of the leading prelates of the minority that the conduct of the majority was like that of a herd of cattle.

We know that these representations of discord and disorder have been as vehemently denied as they have been vehemently asserted. We are bound to say that, whilst we can see no room for doubting the truth of the assertions, we are amazed that in the face of facts so public as many to which these statements refer, any denial should have ever been thought possible. In one of the Ultramontane journals the Pope is re-

* The Letters of Quirinus, *passim*, and the article on 'the Vatican Council,' in the North British Review, No. cv.

† Ibid.

ported to have said that every Council has three stages—the first stage, which belongs to the Devil; the second, which belongs to man; the third, which belongs to the Holy Ghost. It is, perhaps, too much to ask for the means of distinguishing the transition from one of these periods to the other. But it is certain that if strife and evil-speaking are signs of the first of these influences, it may well be believed to have extended to the whole of the eight months. It is the history of every Council more or less, and the interest of this part of the Vatican Council is that it illustrates the history of all others. Nor is it to be denied, on the other hand, that, as in all mixed assemblies, the friction of intercourse and debate draws to the surface some of the higher elements of society, so even these disastrous and discordant agitations gave scope to the action of characters which, it may be, will yet figure on the better side of the ecclesiastical story of the nineteenth century—the impetuous eloquence of Strossmeyer, the generous chivalry of Haynald, the Transatlantic energy of Kenrick, the calm policy of Darboy.*

* These lines had been written before the last of these names became invested with a melancholy interest which will for ever attach to the memory of the unfortunate prelate, who fell a victim on the fatal Wednesday of the 24th of May to the ferocious vengeance of the Parisian insurgents. If anything could add to the tragical bitterness of the crime, it would be the reflection that of all the hierarchy of France, the Archbishop of Paris was the most liberal-minded, the most lenient in his judgments, even to the very last, of the fanatics by whose hands he perished. It has been often reported, that in answer to the request that he might be elevated to the Sacred College, the Pope, who had a special dislike to the moderation and freedom of his opinions, replied, 'He does not need a cardinal's hat—he is quite red enough already.' It is one of the strongest proofs of the audacity of denial to which we have referred above, that there should have been found ecclesiastics hardy enough to maintain, in the face of the most incontrovertible facts, that the Archbishop had not opposed the dogma of the Pope's infallibility. It is well known that he was throughout amongst its sturdiest adversaries; that he remained the faithful friend of Père Hyacinthe when all others turned against him; and that if indeed at last he submitted to the decision of the Council, with that unhappy timidity which has marked hitherto (as we shall presently point out) the course of almost all the prelates, it must have been merely as a formal recognition of the validity of a decree which he accepted only because he despised it. When his mortal remains were deposited in the Cathedral of Notre Dame, amidst the wail of martial music, and beneath the funeral drapery on which were inscribed the names of the victims of the worst crime of this last Reign of Terror, there must have been more than one amongst the spectators to whom the sad thought was ever present, that in his grave was buried the best hope of a reasonable and conciliatory future for the Church of France.

II. We proceed to the actual results of the Council. The first was the promulgation of what is called a Dogmatic Constitution of the Faith, containing four chapters and four corresponding canons. The first of these is on the nature of God; the second on Revelation; the third on Faith; the fourth on Faith and Reason. These canons cover a wide field, which embraces or ought to embrace all the questions which agitate the modern world. Some of these questions* we ventured to propound to the Council before the commencement of its labours. What is the nature and the authority of the sacred books? Is it a duty or a sin to read them? Who was the author of the Pentateuch, or of the Epistle to the Hebrews? Or, again, are the condemnations of Bacon, Hallam, and Milton in the Index binding or not binding? Or, again, is the tale of the House of Loretto true or false? Or, again, which of the two conflicting views of Transubstantiation, or of the many conflicting views of indulgences, is to be accepted? What is to be thought of the salvation of heretics, or heathens; or of the duration of future punishments; or of the origin of the human species? Or, again, what is the best mode of dealing with the terrible and mysterious scourges of pauperism and of war? Is slavery right or wrong? Is persecution a crime or a virtue? On not one of these questions has the Catholic Church pronounced any decision in former Councils. On many of them the modern mind is more or less exercised. On many of them the Protestant churches are taunted by their elder Roman Catholic brethren with the laxity which allows all these questions to be left open for each individual member, lay or clerical, to treat as he likes. All these questions (if we may quote after the event the words which we used before it) 'have been stirred more or less within the Church of Rome itself, and absolutely clamour for solution. The "variations of the Catholic church"—if less open than the "variations of Protestantism"—are not less real.'† All these variations demanded of the Council either to be acknowledged or suppressed.

The answer is in those four canons; and the result is, that with the possible exception of two or three‡ ambiguous phrases, 'the oracle is as dumb' as if it had never been adjured to speak. Not a ray of fresh light is

* Edin. Review, Oct. 1869.

† Ibid.

‡ For example, the reassertion of the old scholastic doctrine of 'creation out of nothing'; and the reaffirmation of the Tridentine decree on the authority and inspiration of the Vulgate.

thrown on any of these questions. No one's faith is strengthened—no one's knowledge is increased. The only attempt to solve the relations of science to theology occurs in the curious statement in which it is asserted, 'that in the progress of science no sense can be given to doctrines propounded by the Church different from that which the Church understands or has understood.' Such a principle, unless it be a mere truism, is exactly that by which in every age the progress of scientific research has been attempted to be retarded. The remaining declarations are singularly vague and unprofitable. The definition of the nature of God, which is perhaps, on the whole, unexceptionable, is inferior to the sublime definition on the same subject which forms the Second Article of the Confession of the Westminster Presbyterian divines. The only sentences which otherwise can at all arrest the attention are when we suddenly stumble on an unexpected malediction against some dead scholastic dogma, or some almost self-evident truth. It is innocuous, but it certainly is surprising to be assured that everyone is 'anathema' who shall say that 'God is an universal or indefinite being, which by determining itself constitutes the universality of things distinct according to genera, species, or individuals;' or again who shall say that 'God created by a necessity equal to the necessity whereby He loves Himself;' or again, who shall say that 'the grace of God is necessary for that living faith only which worketh by charity.'

Whatever darkness therefore existed before still remains impervious. Whatever laxity of speculation existed before still remains unconstrained by this Council as by its predecessors. It is one more proof of the incapacity of large promiscuous assemblies to determine these delicate questions—an incapacity which if in one sense disappointing, is in another sense consoling, and to the general student of ecclesiastical history highly instructive. It is an additional instance of the futility of seeking in such assemblies an authority on high intellectual and moral questions which we should not think of finding there in any other than religious matters, and which, in point of fact, we do not seek from them even in these. The true authorities which ought to rule, and which have ruled the opinions of Christendom, are the great men whom Heaven has inspired with pre-eminent gifts of genius or of goodness. The sentiments and doctrines of the early ages were determined far more by Origen, Athanasius, and Augustine, than by the four first Councils. The theology of English Christendom has been formed not by the Convocation which drew up the Thirty-Nine Articles, but by its great divines, and poets, and philosophers. In every assembly of ecclesiastics there are peculiar temptations to error which do not equally exist in individuals, and which render it a matter of congratulation when they terminate without some act of mischief or folly; and, therefore, the Bishops of Rome, had their labours ended with the Canons of Faith, might, like the English and American prelates, after the Lambeth Conference, have returned home thankful that, if so little good had been accomplished, so much evil had been escaped. The principle, indeed, on which Galileo was condemned was reaffirmed; the acceptance of the spurious readings and the Apocryphal books of the Vulgate was restated; and the endorsement of these two errors is of itself fatal to the authority of the Council even if it had done nothing more. But the main questions of Biblical criticism, of the relation of scholastic to Biblical theology, the adjustment of the great scientific and social problems of our age, were left untouched; and in view of the large fields of religious thought on which the Council has feared to enter at all, this impotent conclusion of such vast preparations, this production from the labouring mountain of a mouse so small that none but the self-deceived can believe it to be a lion, will have been a termination of the Vatican Council which, if unwelcome to the professional combatants alike of Rome and Geneva, will or ought to have been the most welcome both to intelligent Catholics and to intelligent Protestants. So far as it goes it has been the surrender of the chief citadel of ancient dogmatism, and the crowning though unwilling concession of the Roman Church to the spirit of true latitudinarian Christianity.

Cardinal Cullen, in a pastoral issued in 1869, exulted that his Church was not as the Protestant Churches, nor even as this 'Church of Ireland,' 'most discordant in their religious views—some partially denying the inspiration of Scripture, others feebly defending it; some denying the eternity of the pains of hell, others defending it.' The Cardinal forgot that the very diversities which he thus condemned had been down to that time tolerated in his own Church; and the Council of the Vatican, by declining to define the duration of future punishment and the limits of inspiration, has given its sanction to this boundless variety of speculation. 'The only result' (to use Cardinal Cullen's words) 'of such a discordant assembly will be that they will do as little as the late Pananglican Synod, or they will agree to the

free preaching of any error.' As far as concerns the most important questions which agitate Protestant Churches, this is the exact description of the Vatican Council; and we say it not in scorn, but in grateful acknowledgment of its unconscious witness to its true position. The 'Lucifer' of Christendom has, thus far, fallen from his pride of place, and 'become as one of us.' The Council has done its best to intimate that all merely ecclesiastical authorities, whether in Œcumenical Councils or Congregational Unions, are alike fallible—incapable of solving the mysteries of speculation—incapable of laying down universal and primary principles, however competent they may be to frame regulations for the external actions of those over whom they have a legal jurisdiction.

In this respect, the dogmatic decree of April 16, 1870, was, in the best sense of the word, a triumph to Protestantism such as it has not achieved since the death of Luther; and Catholicism, in the best sense of the word, 'might, if it chose, have acquired a new lease of life by thus acknowledging that it had parted with a fundamental error of its former stage of existence.' It may almost be said that the Roman Church, if it had advanced no further than that decree, would have gone far to take its proper place as a widely-spread communion, venerable in age, deeply interesting from its long and chequered history, but having abdicated by its own deed its mischievous pretensions to act as the mistress of the world.

III. There was, however, another question which, if it touched only in a remote degree the controversies of Protestant Christendom, was of vital moment to the contending parties of the Church of Rome. The divisions to which we have just adverted, however important in themselves, were yet, as regarded the Roman Catholic Church, comparatively superficial. The theologians of the Latin Church, for the most part, passed them by on the other side. But there was one problem which, as the Council drew nearer, absorbed, like Aaron's rod, all the others. This was the problem of the Pope's personal infallibility. It was evident that on this question the contending parties were ranged into two unequal, but most hostile camps. However little concern it possessed for the Eastern and Protestant Churches, who one and all absolutely rejected such a dogma even in its most modified form, it was for Roman Catholic Christendom a question which once started could not be laid to sleep. It was no less than the assertion on the one side and the denial or doubt on the other, of an incarnate representation of Divine Wisdom on earth in the persons of two hundred and fifty-six prelates, extending, as was alleged, from the first to the nineteenth century. No theological question equally momentous divides any Protestant Christians from each other. No gulf so wide, on any matter so practical, separates High Churchmen from Low Churchmen, or Latitudinarian from Formalist or Puritan. No Protestant Church admits within its pale such an apotheosis on the one hand, such a contempt on the other hand, of the same person and institution as are involved in the respective doctrines of the Infallibilists and the Fallibilists on the subject of the Pope of Rome. On one side the Ultramontane journals loudly asserted that 'the Pope could not err in faith or morals.' With them the Pope was 'the Son of God.' 'When the Pope thinks, it is God that thinks in him.' 'He is my God, and I will glorify him.' The name of 'Pius' in one well-known Latin hymn was substituted for 'Deus.' Another, the beautiful Pentecostal hymn to the Holy Spirit, was addressed directly to 'Pie Neuf, souverain Pontife.' The Churches of Dalmatia were believed to have expressed, as it was called, their touching and innocent belief in the dogma by their fixed persuasion that the Pope was constantly receiving letters direct from heaven, brought thence by a dove flying to and from Rome for that purpose, On the other side 'Janus,' and the small but vigorous school which that learned work represented, maintained that the personal character and official utterances of the Popes during long tracts of their history had been the shame of Christendom. Each particular Pope, according to these representations, as also according to the conviction of all the civilised world outside the pale of Rome, so far from being a supreme infallible judge of mankind in all matters of faith and morals, is an ordinary mortal, occupying indeed an exalted ecclesiastical and civil position, but swayed by ordinary human passions and more than ordinary human temptations. What the one party held as absolute historical truth, the other denounced as 'the permanent source of error, contention, and schism.' What the one party regarded as an indispensable dogma of the original Christian faith, the other regarded as a monstrous fable of the middle ages. The division was patent, profound, and (if the contending parties meant what they said) irreconcilable.

The steps by which this conflict was carried on are well known. Whilst the Pope himself, with the whole weight of the majority of the bishops, was bent on securing what he

regarded as the crowning glory of his pontificate, a minority powerful in learning, in intelligence, and in character, used every effort to avert or to frustrate the proposal. From the first this minority consisted of two sections; those who openly avowed their disbelief of the dogma, and those who only ventured to deny its opportuneness. Amongst these last the chief was the Bishop of Orleans. He had himself, a week before his departure from his diocese, issued an address in tone so submissive that the Papal Court might well have calculated on his entire subserviency. But the sudden change of his language in the letter in which a few days afterwards he denounced Archbishop Manning, and still more in that in which he yet more vehemently denounced the Papal organ of the 'Univers,' disclosed a turn of policy for which many potent reasons might be assigned, and which for a long time threatened to be successful. The favourite notion of a decision 'by acclamation' was given up, and for a time it seemed probable that the dreaded dogma would either not be proposed at all, or would be proposed in such ambiguous terms as to enable Monseigneur Dupanloup with his accustomed ingenuity to explain it into absolute nonentity, as he had on a former occasion explained away the Syllabus. To this whole line of argument, however, there was one unanswerable reply. It was urged by the majority that if the dogma were true, its public declaration could not fail to be opportune, and never more opportune than at the precise moment when it was so vehemently desired on one side, and denied on the other, and when the distractions of the Catholic Church itself rendered it so necessary. But it was evident that this vulnerable position of the 'inopportunity' of the dogma was a mere strategical move adopted to screen the deeper objections which were pressed with all the weight of history, logic, and theology. Against these assaults were brought weapons from more mundane sources. The fear of provoking the anger of the Sovereign in whose city the Fathers were assembled, the devotion claimed for an aged and amiable Pontiff, the hopes of vacant cardinals' hats, the burning heats of a Roman July sun, the desire to return to their distant sees, the pressure of their less instructed clergy at home. The result was what we have already described, that on the 18th of July the dogma was proclaimed to the world in a form which, if not altogether free from ambiguity, was, if it meant anything, an assertion that whenever the Pope spoke officially on matters of faith and morals, with or without the consent of Council or bishops, his words were absolutely exempt from error. 'But if anyone—which may God avert—presume to contradict this new definition, let him be anathema.'

We have already intimated how deeply the divisions created by this dogma had, down to the time of its decision, rent asunder the Roman Catholic Church. Let us for a moment consider what the dogma is in itself. It might have happened that the doctrine chosen for the battlefield of the Council had been one which, though extremely improbable, was yet incapable of direct refutation. Such, for example, would have been the sanction of one of the legends respecting the Virgin Mary—her Immaculate Conception, for example, or her Assumption. Such events or mysteries, lying either in the unseen world, or a region beyond the reach of history, admit only of logical assertion or contradiction, without positive and palpable proof or disproof on either side. But the proposition of the infallibility, whether personal or official, of the two hundred and fifty-six Popes, falls strictly within the limits of historical knowledge, and is one of the few theological dogmas of which the entire refutation is actually within the reach of all educated men.

This refutation has been elaborately worked out, not by Protestant polemics, but by grave Roman Catholic divines. The fact that Papal bulls have been issued not only contradicting each other, but involving errors of the most serious kind in faith and morals, must henceforth be regarded as beyond dispute. No other line of sovereigns or prelates exists of which the individual occupants of the see or throne have spoken so frequently, so erroneously, and so diversely as the wise and the foolish, the good and the wicked men who have filled the Chair of St. Peter.

It is needless to go into the origin of the dogma. It is not by Protestants, but by devout and learned Catholics, that it has been proved to be based on interpretations of Scripture confessedly false, on documents confessedly spurious; that its whole growth is (to use the forcible words of Père Gratry) 'gangrened with imposture.'

Nor will we revive the controversy as to the orthodoxy or heresy of Honorius. That he was anathematised as a heretic by his successors, and that therefore he or they greviously erred—he by deserving to be anathematised, or they by anathematising him without cause—there can be no doubt. For our own part, we confess to thinking that he was probably more right either than the patriarch whom he condemned, or than Popes who condemned him. His heresy, such as it was, consisted in treating the

whole question at issue between the Monothelites and their opponents as one of no practical moment; and the painfully instructive part of the whole story is, that for this wise and Christian sentiment (now practically accepted by the whole civilised world) he should have been subject to an alternation of severe condemnations or faint apologies, as though he had been a criminal like Alexander VI. or John XXIII.

But it is of more importance to indicate some of the consequences (we again quote only from Roman Catholic writers) of the acceptance of this dogma on the belief of the Roman Catholic Church alike in regard to the past and the future. With one stroke this doctrine at once elevates into the rank of divine truth the official declarations of the Popes throughout the middle ages, which justify in every possible form the worst severities of persecution—which condemn in their attacks on usury the very basis* of modern commerce—which render lotteries the only legitimate source of merchandise—which condemn all forms of civil and international policy, except those based on the most absolute civil despotism or the most exclusive ecclesiastical monopoly—which by condemning the ordinations of the Eastern Church virtually invalidate the ordinations of the Roman Catholic Church itself.† These and many more similar absurdities are the inevitable conclusions of the recent dogma, unless it be so evacuated of meaning as to render it absolutely useless for any practicable purpose. And for the future, it elevates the reigning Pontiff into the one all-sufficient oracle of Divine truth, independent of science, of councils, of Scripture, who alone can decide the questions which concern the conscience and the reason of mankind. An Irish priest is reported to have expressed his devout gratitude for the assurance or hope conveyed to him by the new dogma, that every morning he might receive a fresh revelation of the Divine will. This is not only no exaggeration of the effects to be expected from it, but we do not see how any other view of it can rationally be maintained. 'We must have,' said one of the Papal organs in Italy, in speaking of the evils of a daily press, 'we must have as a counteraction a Pope, who being himself infallible, can daily teach, condemn, and define, and whose utterances no Catholic ever dares to doubt.'‡ If the Pope be really the Father of Christendom, and really is assured of his possession of infallible discernment, it is the merest cruelty to withhold from his children the solution of problems which he alone can solve, and solve with undoubting confidence. The autocracy of the Church is indeed completed, and on every matter which concerns either religion or morality, ''tis his to speak and ours to hear.'

IV. It is not surprising that such a revolution involving such consequences should have been resisted by the most learned and intelligent of the Roman Catholic prelates. Not only from the minority within the Council, but from the most distinguished Roman Catholics outside, the murmurs of disaffection if not loud were deep and sincere. Montalembert had from his death-bed protested against the elevation of the 'idol of the Vatican.' A profound saying is reported to have fallen from the lips of an Italian ecclesiastic: 'The idol will remain: the sanctuary will be deserted.' The older English Catholics must have remarked, with mingled feelings of astonishment and shame, that they had been admitted to the Legislature, on the express and positive pledges given by their ecclesiastical authorities at the time of the Roman Catholic Relief Act, that 'they acknowledged no infallibility in the Pope,' that 'it was not an article of the Catholic faith,' but 'an invention of the Protestants.' Dr. Newman in a celebrated letter which, though purporting to be private, was evidently written to be used, and which thus became public, expressed, with that mingled strength and delicacy of language of which he is so complete a master, his intense alarm and anxiety—

'Suddenly there is thunder in the clearest sky, and we are told to prepare for something—we know not what, to try our faith—we know not how. No impending danger is to be averted, but a great difficulty to be created. . . . What have we done to be treated as the faithful were never treated before? Why should an aggressive, insolent faction be allowed to make the heart of the just sad, whom the Lord hath not made sorrowful? . . . . I pray those early doctors of the Church, whose intercession would decide the matter (Augustine, Ambrose, and Jerome, Athanasius, Chrysostom, and Basil), to arrest this great calamity. . . If it is God's will that the Pope's infallibility be defined, then is it God's will to throw back "the times and moments" of that triumph which He has destined for His Kingdom, and I shall feel that I have but to bow my head to His adorable, inscrutable Providence.'*

It might have been expected that with a

* See 'Papal Infallibility,' in two able letters by 'A Catholic Layman.'

† See 'Janus,' *passim*, and 'Considérations pour les Évêques.'

‡ Letters of Quirinus, 566.

* Letter published in the 'Standard,' April 7, 1870.

conviction so clear and an opposition so decided, the dissentient bishops would have protested to the end, and the dissentient Catholic theologians would have felt it impossible to receive that which they had declared beforehand that they knew to be false. It is almost certain that in an ecclesiastical assembly a minority of determined men, who know that the truth is on their side, will triumph in the end if they only have the courage to say what they know.

Such, however, was not the conduct of the eighty-eight bishops in the Vatican Council. When the end at last drew near, they could not face the Papal displeasure; they could not trust each other's firmness; they were worn out by the exhaustion of the Roman heat. But neither could they endure the shame of recanting the opinions which they had so publicly and deliberately expressed; they therefore left Rome in a body, on the eve of the concluding session, and with the utmost precipitation, to escape the chance of their being compelled to enter the council chamber and vote against their will. It was a much smaller handful of bishops who raised the standard of revolt against the Council of Rimini, and gave the name of 'Catholica' to the village whither they retired from the triumphant majority. But the true 'Catholic' dissentients from the Council of the Vatican halted not in their flight until they had reached their own dioceses. There the chance still remained to them of preserving the attitude of independence which till within a few days before the fatal close they had maintained in the Eternal City. It is with indignant sorrow that we tell the lamentable sequel. Bishop after bishop, even of those who had most severely denounced the dogma as false and mischievous, either accepted it, or have remained silent. Some, like the Bishop of Orleans, who had professed to oppose it not on account of its falsehood, but its inopportuneness, had left themselves this loophole of evasion. Dr. Newman in the letter which we have just cited, whilst denouncing its definition as the gravest of calamities, and declaring his inability to 'maintain it logically in the face of historical facts,' had kept open one door of escape, by his parenthetical intimation that 'at least *practically* if *not doctrinally*, he held the Holy Father to be infallible.' Another convert, after an ineffectual struggle with his archbishop to prevent the publication of the dogma in England, has declared that he accepts it (it is hard not to suppose that he spoke ironically, but nevertheless his submission seems to have been gravely received by the chief organ of the Roman Church in England), on the understanding that 'if a Pope contradicted any clear article of faith he would, instead of being infallible in so doing, *ipso facto* cease to be the Pope;' or else that 'as no Pope hitherto, so far as we can possibly learn, has spoken *ex cathedrâ*, so it is not probable that any ever will henceforth.' It hardly needs the assurance of this candid writer to be convinced that 'such as hold this view can easily accept a definition which clears up none of the doubts and settles none of the disputes as to our being able to tell when and what an *ex cathedrâ* decision of the Pope may be.'* We cannot imagine a more contemptuous dismissal of what professes to be an important disclosure of truth. Nothing but the seriousness of the subject could save such solutions of the problem from being drowned in the inextinguishable laughter of Christendom. The opinion of those who promoted the dogma, and who probably represent the opinion of the majority, is far otherwise, namely, that 'all laws of discipline, canonisation of saints, approbation of religious orders, of devotions and the like; all legislative or judicial acts, so far as they are inseparably connected with the Pope's doctrinal authority; all sentences and decisions, which contain the motives of such acts as are derived from faith and morals,' are included in the definition. That is to say, that we are to accept with equal reverence every sentence of the Syllabus and of the Sermon on the Mount, the Bulls in favour of persecution and against commerce, as not less inspired than St. Paul's definition of charity. In this doctrine, which must be either a monstrous fiction or a mere empty illusion, the vast majority of the bishops and of the clergy have acquiesced. There is a saying sometimes ascribed to Bellarmine, which is often believed to be a Protestant exaggeration—'*Vera sunt vera et falsa sunt falsa; sed si ecclesia dicit vera esse falsa et falsa esse vera, falsa sunt vera et vera sunt falsa.*' This is precisely the condition of mind which the acceptance of the dogma presupposes in those who before its definition not only opposed, but declared their conviction of its falsehood. That they should not be induced to assert that to be true which they had before stated they 'could not logically maintain in the face of history;' that bishops and archbishops should have accepted a decision which they had proved to themselves and to others by irrefragable †

* What is the Meaning of the late Definitions on the Infallibility of the Pope. By William Maskell, M.A., pp. 10, 11.

† Perhaps of all these submissions the most astonishing is that of Kenrick, Archbishop of St.

arguments to be absolutely untenable, may by some be regarded as the crowning triumph of the Catholic Church. To us, and not only to Protestants, but to the secret soul of many a devout Catholic, we doubt not, such a conclusion must appear as the moment of its very deepest shame and humiliation.

There is one point of view in this singular transaction which concerns not only the Roman Catholic, but many other churches. It throws a new and vivid light on the pretensions not only of the Roman Church, but of Episcopacy, and of ecclesiastical assemblies throughout the world. There have been even among English Protestants many excellent men who have imagined that a peculiar grace or promise, if not of infallibility, at any rate of exemption from error, was granted to the bishops as successors of the Apostles. This opinion, we venture to say, cannot survive the Vatican Council. Never was such an assemblage of bishops since the beginning of Christianity, and never was the trust of witnessing to the truth more completely falsified. If the 30th of January, 1649, was useful as making kings 'ken that they had a lith in their necks,' the 18th of July, 1870, will be for ever memorable as making bishops 'ken' that the immense majority of their order, having truth and error placed before them, either actively promoted, or tacitly and with their eyes open accepted, a proved error. We do not wish for a moment in saying this to disparage the true mission of Episcopacy. The prelates of Christendom have had and may have a singularly beneficent influence on all churches by moderating the passions and prejudices of the inferior clergy and purifying the public opinion of their flocks. But their use—their hopes of usefulness—depend on their frank recognition of their true position, not as oracles, but as guides of their people, on their having the courage to speak out what they really think, on their determination not to be driven by the ignorant panics of their clergy, but to raise their clergy to a level (if so be) with their own intelligence. A single bishop who had uttered boldly in the last solemn session of the Council what thousands were saying outside of it, what many of themselves had said in tones more or less subdued within it, would have become master of the situation, and redeemed the whole Roman Church from shame. It was one of the noblest opportunities ever offered to Christian prelates —it was heedlessly and miserably lost.

V. The opportunity which was offered in the highest degree to the Roman Catholic Episcopate, was also in an humbler, but still an important sense, offered to the Roman Catholic laity and the Roman Catholic priesthood. In the Roman Catholic laity we must distinguish between two classes. One is that which includes what the French call 'the devout,' what is in fact too often the fanatical portion of the community; of these we have already spoken. The other includes the intelligent laymen in the world at large. Doubtless the real weakness of the Episcopal minority in the Council lay in this—that whilst the enormous majority of cultivated laymen were on their side, their indifference to the question at issue was such as to render any sympathy on their part almost worse than useless. Two only rose above their fellows; who, as it so happened, combined each of them two nationalities in his own person. One was the illustrious Frenchman, Montalembert, who by birth and character was half an Englishman; the other was an accomplished and energetic Englishman, who by birth and education was half a German, Lord Acton. Of Montalembert's indignant protests we have already spoken, and he was snatched away from the evil to come, before his eyes had seen what he would have regarded as the crowning disappointment of the lifelong hopes of his noble and generous spirit. Of Lord Acton we forbear to speak further, because, although all the world knows the courageous and steadfast support which he rendered to the cause of truth during its ineffectual struggle, although nothing can be more striking than the contrast which he has drawn between the expressions of Catholic prelates before the Council and since, in his able Letter to a German Bishop, we wait with anxiety to observe the position which he will take up towards the Church and Court of Rome now that the struggle has been brought to its final close.

Amongst the inferior clergy there is, as a general rule, still less to reassure us than amongst the bishops or the laity. But here also two ecclesiastical figures emerge from the general failure or eclipse of their order, each of whom deserves especial mention, both from their intrinsic interest, and from the wide-reaching hopes which their example carries with them. One is the celebrated French preacher, Father Hyacinthe. It was his impassioned cry on the 20th September 1869, that first broke the silence which weighed down every effort after freedom of speech in the Roman Catholic Church. That cry, derided, condemned, placed under the ban of censure and excommunication, was the rallying point of the opposition in

Louis, contrasted with his able 'Concio habenda non habita,' printed in the 'Documenta ad Concilium Vaticanum illustrandum.'

the Council. It was this which, without direct or conscious acknowledgment, contributed in a powerful degree to change the policy of the Bishop of Orleans, and to stimulate the French bishops in their desire to act worthily of a country which, as at that time they fondly dreamed, stood at the head of European civilisation. His protest, again, after the Council was closed, was the first indication that there was still a conscience of truth and independence of judgment left in the Roman Catholic Church. And finally, from him again, even in the presence of the great calamities which weighed upon himself and his country, there came, in the course of the last winter, that noble appeal to the bishops of Catholic Christendom, which disclosed without reserve the conditions on which alone he could consent, as he would then gladly consent, to resume 'in the Church of his baptism and of his priesthood, in obedience, at the same time as in honour and honesty, a ministry which had been the unique passion of his youth, the unique ambition of his life, and which his conscience alone had forced him reluctantly to abandon.'

'Let me be permitted in the presence of the misfortunes of my country and the misfortunes of the Church, to address myself to the Catholic Bishops throughout the world—to those especially who see the situation as I see it myself, and who are, I well know, not a few. I am nothing that I should speak to them so freely. But was it not the bold saying of the illustrious Gerson, that in times of crisis, even the humblest peasant may convoke a General Council and save the universal Church? It is this right which I use; it is this duty which I discharge in conjuring the Bishops to put an end to the latent schism which divides us down to a depth more formidable in proportion to its being less acknowledged.

'Before all else, we require them to tell us whether the decrees of the recent Council are or are not binding on our faith. In an assembly in which the first conditions ought to be the entire freedom of discussion, and the moral unanimity of the votes, it is well known that Bishops, considerable by their numbers, by the authority of their learning and their character, have complained loudly and repeatedly of restrictions of every kind imposed on their liberty, and have refused to take part in the final decision. Is it possible that on returning to their dioceses, as if awaking from a long dream, they have acquired a retrospective certainty of having actually enjoyed, during their sojourn at Rome, a moral independence of which at the time they were not conscious? The very supposition is an insult. There is no question here of a mystery above human reason, but simply of a fact of personal experience; and a change of opinion in such a case is not to submit reason to authority, but to sacrifice conscience itself.

'If it be so, we remain free after as before the Council to reject the infallibility of the Pope as a doctrine unknown to ecclesiastical antiquity and resting only on apocryphal writings, concerning which criticism has pronounced its final judgment. We remain free to declare openly and loyally that we decline to accept the recent Encyclical Letters, and the "Syllabus," which their most intelligent champions are constrained to interpret in opposition to their natural sense and to the well-known intention of their author, and of which the result, if these documents were treated seriously, would be to establish a radical incompatibility between the duty of a faithful Catholic and the duty of an impartial student and of a free citizen. Such are the most salient points on which the schism exists. Every Catholic who has regard for the integrity and dignity of his faith—every priest who has at heart the honesty of his profession—has the right to interrogate the Bishops on these points; and the Bishops are bound to answer, without reticence and without subterfuge. It is this reticence and these subterfuges which have been our ruin; and the time is come to restore to our Church the antique sincerity of early faith, which in these later days has lost its vigour.'

It must be remarked that this is not the appeal of an unknown or insignificant person. It is well for him in his modesty to speak of himself 'as nobody.' But he is the first preacher of the Church of France. He is the man who could attract an audience in the Church of Nôtre Dame, such as only Lacordaire, if even he, in our time, has attracted within those walls. He is one of the few Frenchmen who, in these times of agonising trial and wild exaggeration, has kept his head clear from the confused distractions which have aggravated beyond all measure the calamities that have fallen on his unhappy country. Neither has he ever lent himself to any of those outrageous attacks on the Church of his fathers which have so often disfigured the protests of those who have, in former times or present, laboured to reform its abuses, or been driven from its ranks.

But to none of his appeals has there been the slightest response from the ecclesiastical authorities either of Rome or of France. The ancient wisdom with which Lord Macaulay credited the Roman system, seems of late years to have deserted it. We doubt now very much whether Ignatius Loyola any more than John Wesley would have found a home under that exacting rule. 'So much the worse for him,' is the exulting cry when anyone leaves them; 'so much the better for us.' The Gospel maxim is reversed; and there is more joy in the Court of Rome over one heretic that falls, than over the ninety and nine that remain.

But whilst no reply has come from pontiff or bishop—whilst, indeed, from bishops in his own distracted country any action was hardly at this moment to be looked for—there is a quarter which he himself has indicated from which hope may spring, and in which it may be well believed his own impassioned appeal was not without its due effect. He himself may best describe whence this expectation may be realised.

'By the side of the Protestantism of Luther, Germany has not ceased to cherish a Catholicism not less enlightened, not less honest, not less liberal. It even manifested itself in the Council of the Vatican, by that opposition, triumphant even in its apparent defeat, to which it had given some of its strongest supporters. But it is not in any bishop that this Catholicism is personified; but in a single priest—an old man, still young in heart and mind under the weight of years and experience, a patriarch of German erudition—as it has been well said—but a patriarch of conscience no less; one who, not less great in character than in intellect, compels those to respect who have not learnt to love him. His name is DÖLLINGER.'

What the Père Hyacinthe has been to the Church of France, that in another aspect—but one which well accords with the different character of the two countries—Döllinger has been to the Church of Germany. If Hyacinthe gave pledges of his devotion to the cause of Religion by his monastic austerities, and the consecration of his splendid oratorical gifts to her service, Döllinger gave pledges no less sincere by the slow and gradual process through which he arrived at his present opinions, by the elaborate and learned treatises which he has written in illustration of the history of the faith, by the earnest endeavours which he has made to reconcile science and religion. No one can have visited that simple but well-stored library, abounding in the literature and theology of all nations, in the Frühlingstrasse at Munich, and witnessed the quiet humour, the unimpassioned judgment, the far-reaching grasp of mind which characterises its calm and courageous occupant, without feeling that in him the Catholic thought of Germany has found a worthy representative. We have ourselves on various occasions cited the wise and liberal maxims of this distinguished theologian. It cannot be doubted that if the open protest of Hyacinthe was the indirect cause of the movement of the French bishops, the more covert operation of Döllinger was the direct cause of the movement of the German bishops. But the year 1871 had found the majority even of these bishops prostrate before the dogma. The Bishop of Mayence, who during the Council caused to be circulated* a document, bristling with the facts and breathing the spirit of Janus, had not only accepted the decree, but furiously denounced its opponents. The Archbishop of Munich had adopted what a few months before he had declared to be a proposition which no man of sense could believe. Lord Acton had addressed his indignant letter to a German bishop. Here and there a professor† or a priest had lifted up his warning voice. Döllinger still was silent. Yet those who knew his indomitable spirit felt convinced that he was but biding his time. At last the wished-for moment was precipitated by the Papal Court itself. The 15th of March—the Ides of March 1871—it may be hardly less fatal to the ecclesiastical, than the first was to the Imperial, Cæsar—was fixed for the day when the submission was to be made. The day came but not the submission. And in place of it was at last published the now famous letter to the Archbishop of Munich, in which, in the most precise and guarded, yet unequivocal language, the Professor gave five distinct reasons—patristic, historical, literary, theological, and patriotic—why the dogma cannot possibly be accepted, and concluded with these memorable words:—

'As a Christian, as a theologian, as a historian, and as a citizen, I cannot receive this doctrine. Not as a Christian, for it is incompatible with the spirit of the Gospel, and with the clear words of Christ and his apostles. It wishes to claim that empire over the world which Christ refused, and that dominion over the people which Peter forbade to himself and all others. Not as a theologian, for the whole genuine tradition of the Church is irreconcilably opposed to it. Not as a historian can I receive it, while I know that the determined efforts in past times to realise this theory of world-dominion have cost Europe streams of blood, devastated and destroyed whole countries, annihilated the beautiful structure of the old Church, and been the occasion of the worst ecclesiastical evils. Finally, as a citizen, I must reject it; because by its claims for the subjection of states and monarchs, and the entire political order, to the papal power, and because of the high place which it demands for the clergy, it lays the foundation for endless discord between the State and the Church, between the clergy and the people. I cannot conceal from myself that this doctrine, by which the old German Empire was destroyed,

* It is the first of the curious series of 'Documenta ad illustrandum Concilium Vaticanum,' collected by Professor Friedrich.

† We would not be understood as undervaluing the services of such men as Friedrich, Huber, and Froschammer; but they would themselves doubtless acknowledge the pre-eminence which we have here assigned to Döllinger.

if it should be received generally by the Catholic part of the German nation, would thus plant the germ of disease and decay in the Empire that has been recently built up.'

This noble protest has been followed on the part of the Archbishop by the 'Greater Excommunication,' and on the part of Döllinger by a dignified, but silent maintenance of his position, in which he carries with him the sympathy and support of the whole of educated Germany.

Here, for the present, we leave him.* What fate is in store for him or for his French fellow-worker, time only can show. When the pitfalls on the right hand and the left are so numerous and so treacherous—when on that steep and narrow path so many have stumbled and fallen—it would be rash in the highest degree to forecast even their individual future—much less their ultimate success. We can but build our hopes on what each has already done—on the acknowledged goodness of their cause—on the chances that the ecclesiastical world may recognize the great opportunity thus opened before it. There has been in Germany a movement of the Catholic laity in behalf of the higher and truer view of Christianity far more pronounced than anything which has occurred, or than, we fear, is likely to occur in France. Whether the German and Hungarian Bishops, who by every feeling of honour and truth are bound to adhere to their words in the Council, will repudiate them now—whether the clergy will rally under their true leader in the Professor of Munich, or their official leader in the Bishop of Mayence—whether the French hierarchy will sacrifice the interests of their reviving country to the party-spirit of their order—remains to be seen. But not the less will the two most eminent ecclesiastical names in connexion with the Vatican Council remain Hyacinthe and Döllinger. Their position may be difficult, but it is not untenable. They are not more at variance with the usages or decrees of Pope or Council than many a devout Catholic was in the middle ages, or in Austria under the rule of Joseph II., or in France under the influence of Gallicanism. To maintain the rights and discharge the duties of a Reformer within a national or ancient Church is a far more arduous task than to found a Puritan or a Freethinking sect; but it is, partly on that very account, far more fruitful, far more Christian. Doubtless those who undertake a work like this will fall into occasional mistakes, of which their adversaries will make the very most. But such mistakes are as nothing compared with the deliberate falsifications and unworthy compromises which are too often condoned in the high places of the Church, merely because they are found with the fashionable and the successful party.

After all, the question must ultimately rest with the laity, and with that portion of the laity which is at once the most powerful and the most genuine representative of the lay sentiment—the Governments of Europe. It is well known that the Vatican Council itself was swayed to and fro by the influences of the great Catholic Powers; and it is said that one of its most important canons was modified at the dictation of the Protestant Court of Prussia. And unquestionably it is one of the grandest problems still left in the hands of those sovereigns and ministers whose interest it must be, alike in the cause of patriotism and of civilisation, to guide the religious feeling of their respective states into channels where it will be an element of enlightenment and peace, not of darkness and discord. Such a part was not forgotten by the great German princes of former years—by the Protestant Electors of Saxony and Brandenburg—by the Catholic Emperors, Ferdinand I., Maximilian II., and Joseph II.; by Gustavus Adolphus of Sweden, by Elizabeth and Cromwell of England, by St. Louis in the ancient and chivalrous days of France. Such a part may still in its measure be played by those who at this moment occupy—in at least some instances with striking ability and foresight—the high places of Prussia, Austria, Baden, and Bavaria. To forward, whether from indifference or superstition, the Ultramontane party at this moment, is to sow the wind and reap the whirlwind. To give, we do not say favour, but justice, to those theologians and ecclesiastics who are struggling single-handed to express what thousands feel, is to cast bread on the waters which assuredly after many days will return again to the State no less than in the Church.

VI. There is one more question which this eventful history suggests. On the same day—the 18th of July—as that on which the decree of Infallibility was declared at Rome, the declaration of hostilities between France and Germany was definitively confirmed at Paris. 'The war broke out,' to use the striking figure of Père Hyacinthe, 'like the thunderclap which burst over the Vatican in reply to the promulgation of the impious dogma.' The coincidence was indeed fortuitous, but the political catastrophe had a close bearing in more ways than one on the eccle-

* The last exposition of his view is contained in the document signed by himself and his friends in the 'Allgemeine Zeitung,' June 13, 1871.

siastical revolution. For the moment, no doubt, it was a clear gain to the Papal party. Under the pressure of that terrible convulsion, in the presence of which all other interests were hushed and receded into the background, it was impossible for the opponents of the dogma to secure that hearing for calm discussion by which alone its intrinsic defects and excesses could be laid bare. Under the cover of that horror of great darkness which overspread the nations, the supporters of the dogma had the opportunity of silently pressing its acceptance with a success which, in the full noonday of ordinary publicity, would have been next to impossible. For this reason, in great part, the two protests of Hyacinthe passed almost unnoticed; for this reason, probably, Döllinger waited till he could obtain a favourable hearing from sovereigns and from peoples. So far it was not without some ground that the advocates of the new doctrine claimed a Providential interference in its favour. But when we look a little below the surface, we shall see that this was a victory won at a more than doubtful cost, and with a more than doubtful result.

Let us for a moment look back at the Sovereign Pontiff as he stood on that 18th of July, invested, as he and those about him believed, for the first time beyond doubt, with the divine attributes of the infallible teacher of mankind. Surely if ever there was a time when the new Teacher might have been expected 'to speak *ex cathedrâ* in discharge of the office of pastor and doctor of all Christians by virtue of his supreme apostolic authority in things which belong to faith and morals,' it would have been in a crisis when two great Christian nations were about to engage in deadly conflict, and when it is certain that a moral effect of an unusually grave kind would have been produced by a decree of censure or excommunication launched against the aggressor in this conflict—such as on much less momentous occasions the same Pontiff had launched against princes who had infringed on his own personal rights. Or, if such a measure had been deemed too extreme for the Father of Christendom to have adopted even towards the crimes or errors of his eldest son, at least it might have been thought that the Supreme Judge of the government of the world should have had enough of infallible discernment to declare in what points one or both of the contending sovereigns had transgressed the divine law of Christian morals. But instead of a voice to hush the storm or to condemn the guilty, there was an absolute silence, or a silence, if not absolute, yet broken only by ambiguous declarations which threw no light on the rights of either side; it has been even reported, by a covert impulse given to the aggressive party in the hope of humbling the great Protestant power in the North of Germany.

The infallible oracle was put to the test on the very day of its creation, and signally failed.

And there was a yet further infringement of its reputation for unerring sagacity involved in the next stage of this very war. If there had been any one point on which the Pope and his admirers laid stress in the Papal declarations which the decree of July 18 had at once elevated to the rank of divine and immutable laws, it was the indispensable necessity of the civil princedom to the maintenance of the Pope's spiritual authority. Within two months of the conversion of the doctrine of the Pope's temporal sovereignty into an article of the Christian faith, the chief support of that authority—the French garrison—was withdrawn in consequence of the very act of aggression which the Pope himself, if he did not encourage, did nothing to prevent; and yet further, the French Empire itself, on whose protection the Pope had hitherto reposed, was humbled in the dust by the first Protestant Power on the Continent, and his regal sovereignty has since been limited to the palace of the Vatican, in which, according to his own statement, he is now no longer a king but a prisoner. This is not the place to discuss the rights and wrongs of the Temporal Power in itself. No doubt the Roman people were justified in claiming a voice in the choice and reform of their own government, or at least refusing to have a ruler imposed upon them by foreign troops. But with this important exception, the Papal princedom has never seemed to us a serious grievance. Nor is it in fact easy to strike the balance of advantages or disadvantages which it brought to the city of Rome or to the true interests of Catholicism. It is impossible not to feel a natural desire that at least one spot in Europe should have been preserved unlike the rest of the world—the home of strange ecclesiastical customs, and of poetic and artistic ruins; a natural regret that such a spot should, by the artificial process of a sudden annexation, be converted into the commonplace capital of a kingdom of yesterday. Nor are we without apprehension lest—especially in view of the reckless and unstatesmanlike concessions made to the ecclesiastical authorities by the Italian Government—the so-called spiritual, which is but another and more oppressive form of the temporal power of the Pope, will in fact be greatly increased by the loss of some of the moderating checks, which were of necessity involved in his regal position, as well as

by the actual augmentation, as now proposed, of his ecclesiastical privileges. Still less can we venture to see in the recent revolution a fall of the Papacy itself, or of the power of Catholic Christianity of which it is the centre. It is (if our ultra-Protestant and ultra-Papal friends will allow us to say so) simply the close of the last of a series of mixed sovereignties, which a hundred years ago were exceedingly common, but which have since become exceedingly rare. The Prince Bishop of Rome was merely one, although the greatest, of a class which formerly contained the Prince Archbishops of Mayence, Cologne, and Treves, the Prince Bishops of Liége, Salzburg, Osnaburgh, Breslau, Durham, and many more of the same kind. They have almost all passed away; and, however much we miss the quaint anomaly, we can hardly regard it as the indispensable or even peculiar characteristic of the See of Rome, much less of the Catholic Church..

But whilst thus fully acknowledging, in fact pleading, the intrinsic insignificance (comparatively speaking) of a change, which, after all, leaves the Pope with an amount of power, wealth, and freedom which is equal to that of more than one of the small lay sovereignties of Europe, it is an event of no slight ecclesiastical importance, when considered in reference to the view taken of it by the Pope himself and his advisers in the light of the recent dogma. What he and his chief organs have declared solemnly to be an indispensable condition, not only of Roman Christianity, but of Christianity itself, cannot be diminished or destroyed without a confession of weakness and fallibility which will become a fresh difficulty, in addition to the already accumulated mass of 'the facts of history, in the face of which,' the modern Catholic theologian 'finds it difficult to defend' the assertion of the Pope's infallibility.

It is impossible, not to ask, what, under the double change which the Papal office has thus undergone in a single year, is likely to be its future destiny? By the time that these pages have seen the light, Pius IX. will, if his strong frame and hereditary longevity are proof against the force of ancient tradition, have outlived the term of twenty-five years allotted by Roman legends, and as yet fixed by Roman experience, as the limit beyond which no Pope has occupied the Papal chair. But however long his life may be spared, we cannot but cast a glance at the future, and ask what may be in store for the great institution which will be inherited by the successor, who cannot be very far distant in the coming years. It is the peculiarity of an institution thus varied in its history, complex in its associations, comprehensive in its aims, that it leaves itself open to influences and to characters which may indefinitely mould it for good or evil in each succeeding generation. Such is Monarchy. Such is Episcopacy. Such is the strange compound of both which we call the Papacy. It once chanced that an English traveller, in a long evening spent on the heights of Monte Casino, was conversing with one of the charming inmates of the ancient home of St. Benedict, who was himself, like most of his order in Italy, opposed to the temporal power of the Pope. The Protestant Englishman ventured to ask the liberal-minded Catholic—'"How do you forecast the possibility of the accomplishment of your wishes in the face of the steadfast opposition of the reigning Pontiff and the long traditional policy of the Roman Court?" He replied, "I console myself by looking back at the history of the Papacy. I remember that St. Peter came to Rome a humble fisherman, without power, without learning, with no weapon but simple faith, and his life in his hand. I remember next that when the barbarians came in, and the European monarchies were founded, there came a man as unlike the St. Peter as can possibly be conceived—of boundless ambition, of iron will—Hildebrand, who alone was able to cope with the difficulties of his situation. Then came the Renaissance, classic arts, pagan literature; and there arose in the midst of them Leo X., as their natural patron, as unlike to Hildebrand, as Hildebrand to St. Peter. Then came the shock of the Reformation—the panic, the alarm, the reaction—the Muses were banished, the classic luxury was abolished, and the very reverse of Leo X. appeared in the austere Puritan, Pius V. And now we have Pius IX. . . . And in twenty or a hundred years we may have a new Pope, as unlike to Pius IX. as Pius IX. is unlike to Pius V., as Pius V. was unlike to Leo X., as Leo X. was unlike to Hildebrand, as all were unlike to St. Peter; and on this I rest my hope of the ultimate conciliation of Rome and Italy, of Catholicism and freedom."'

Such, or nearly such, was the consolation administered to himself by the genial historian of Monte Casino; and such, taken with a wider range, is the consolation which we may minister to ourselves whilst lamenting the follies and extravagances which it has been our duty to record in an institution which, with all its failings, cannot but command a large share of religious and philanthropic interest. There can be no question that a single individual, fully equal to the emergency, who should by chance or Providence find himself in that (or any like)

exalted seat, might work wonders—wonders which, humanly speaking, could not be worked, even by a man of equal powers, in a situation less commanding. There is a mediæval tale quoted, we think, by Blackstone, which has even some foundation in fact* that a certain Pope was once accused before a General Council on the charge of heresy. He was condemned to be burned; but it was found that the sentence could not be legally carried into execution but with the consent of the Pope himself. The assembled Fathers went to the Pope—*venerunt ad Papam*—and presented their humble petition—*et dixerunt, O Papa, judica te cremari;* and the Pope was moved to pity for the inextricable dilemma in which the Fathers were placed. He consented to their prayer. He pronounced judgment on himself—*et dixit, Judico me cremari;* and his sentence was carried into effect—*et crematus est*—and then in reverential gratitude for so heroic an act of self-denial he was canonized —*et postea veneratus pro sancto.* Such, although with a more cheerful issue, might, we contend, be the solution of the present entanglement by some future Pope. We have but to imagine a man of ordinary courage, common sense, honesty, and discerment—a man who should have the grace to perceive that the highest honour which he could confer on the highest seat in the Christian hierarchy, and the highest service he could render to the Christian religion, would be from that lofty eminence to speak out to the whole world the truth, the whole truth, and nothing but the truth. Such an one, regarding only the facts of history, but in the plenitude of authority which he would have inherited, and 'speaking *ex cathedrâ*, in discharge of his office of pastor and doctor of all Christians,' might—and if he were the kind of person we suppose would—solemnly pronounce that he, his predecessors, and his successors, were fallible, personally and officially, and might err, as they have erred again and again, both in faith and morals. By so doing he would not have contradicted the decree of July 18, 1870, more than that decree contradicts the decrees of previous councils and the declarations of previous Popes. By so doing he would incur insult, obloquy, perhaps death. But like the legendary Pope of whom we have spoken, he would have deserved the crown of sanctity, for he would have shown that quality which above all others belongs to saints in the true sense of the word. He would have risen above the temptations of his situation, his order, his office; he would have relieved the Catholic Church from that which its truest friends feel to be an intolerable incubus, and restored it to light and freedom. If, according to the ancient prediction * of Archbishop Malachi, Pius IX. has fulfilled the motto of *Crux de cruce*, 'cross upon cross, trouble upon trouble, entanglement upon entanglement,' the next Pope, according to the same prophecy, is to be *Lumen de cœlo;* and surely it is not in itself too much to imagine that one such Pope as we have ventured to suggest—one man of sense, courage, and honesty—might be found; and that if he were found, he would indeed be a light from heaven to an horizon which in proportion as it is now dark with an unwonted blackness, would welcome even the faintest dawning of better things. Such an expectation may be chimerical; but there are too many interests bound up in the destinies of the Roman Church to allow us to abandon it without a struggle. And, therefore, stormy as is the history which we have had to describe, we cling to the expression of hope—inspired, if not actually composed by the murdered Archbishop of Paris—that 'the excess of evil will provoke the return of good. The Council of the Vatican will remain sterile. . . . But it will have revealed, not only to what a point the best institutions and the best instincts can be turned by the spirit of despotic authority, but also it will have shown the value of the right cause, even when it has but a few to defend it. The Spartans who fell at Thermopylæ to guard the land of liberty, prepared against the forces of tyranny the crowning defeat of Salamis.'

* The story is founded on the deposition of Gregory V. In the real story the Council was not a General, but a Provincial Council; the Pope's crime was not heresy, but simony; the sentence pronounced was not death, but deposition.

* The 'Prophecies of St. Malachi' are ascribed to the archbishop of that name, who occupied the See of Armagh in the twelfth century. They were really composed in the sixteenth century, and contain a series of mottoes supposed to designate the successive Popes from that time till the end of the world.

Art. VI.—*Dictionnaire critique, littéraire et bibliographique des principaux livres condamnés au feu, supprimés ou censurés.* Par G. Peignot. Paris: 1806.

The history of the books which have been suppressed or censured in England is curious and interesting; and although we have no book in our language which rivals the Dic-

tionary of literary martyrdom, published in France at the commencement of the present century by M. Peignot, we have collected some materials on the subject which may interest our readers.

The burning of heretical books is by no means, as might be supposed, a Christian invention. It is questionable whether the writings of Protagoras were really destroyed at Athens for their atheistical tendencies, but the existence of the report shows that the idea, at all events, was not alien to Greek sentiment, and the judicial murder of Socrates is a proof that the State was no stranger to the worst acts of intolerance. The destruction of Christian books formed part of heathen persecution; Diocletian, especially, in A.D. 303 ordering all such writings to be surrendered to the magistrates and committed to the flames. To Osius, Bishop of Cordova, the friend of Athanasius and Constantine, is ascribed the introduction of the practice among Christians. It was probably by his advice that the Emperor commanded all the writings of Arius to be burnt, and anyone found in possession of them after the publication of the edict to be put to death. In 435 an Armenian Council ordered the destruction of the writings of Nestorius, whilst the Constantinopolitan one of 680 showed the same marks of attention to those of the 'infallible' Pope Honorius.

Various devices were employed in England for the repression of heresy and false teaching. At first it was altogether a question of Church discipline, the bishops having sole jurisdiction in such cases; the punishments also were ecclesiastical—penance and excommunication. But in 1382 the State began to interfere. The occasion arose from the dangerous doctrines Wyclif had set afloat on the subject of property—Wat Tyler's insurrection being an illustration of the extremes to which the Lollards were carrying that teaching. The insurrection itself began, indeed, upon other grounds, nor does it seem that Wyclif himself was in any way concerned with it; but Friar John Balle, whose famous text at Blackheath was,

> 'When Adam dalve and Eave span,
> Who was then a gentleman?'

confessed before his death that he had been for two years a pupil of Wyclif, and had no doubt derived thence, in part at least, his revolutionary principles. The bishops had no longer the power to suppress these inflammatory doctrines, for the preachers of them kept moving from one diocese to another, and denied at the same time the jurisdiction of the Ecclesiastical Courts. Parliament accordingly passed an Act, directing the authorities 'to arrest all such preachers, and to hold them in arrest and strong prison, till they will justify themselves to the law and reason of Holy Church.' Still the mischief continued, and in 1401 a far more severe Act was passed, so well known as the Act '*de hæretico comburendo.*'

The 'protomartyr of Wycliffism,' as Dean Milman calls him,* was W. Sawtree, at one time the priest of St. Margaret's, in King's Lynn, but then a preacher at St. Osyth's in the city of London. Before coming to London he had been convicted of denying transubstantiation, a circumstance which, on his second trial, he had the audacity to say had never occurred. He was condemned as a relapsed heretic, and handed over to the civil authorities.

'Sawtree,' says Dr. Shirley,† 'is usually spoken of as the first victim of the statute *de hæretico comburendo.* But it is remarkable that the writ for his execution appears on the Rolls of Parliament before the Act itself. This order may be merely a matter of arrangement, but it is observable that if the Act had been already passed, the writ would have been issued, as a matter of course, to the sheriff, and would never have appeared on the Rolls at all. It appears probable therefore that Sawtree suffered under a special Act, proposed perhaps by the clerical party in order to ascertain the feeling of Parliament as to the larger measure that followed.'

The last instances of the execution of heretics occurred in 1612, when Bartholomew Legate was burnt at Smithfield for holding opinions very similar to those of the Unitarians of our own day—a like punishment being given that same year to Edward Wightman, at Litchfield, for holding no less than nine 'damnable heresies.' Popular feeling, however, seems to have become so strong upon the subject, that this method of repressing false doctrine was never resorted to again.

The book against which the most unceasing crusades were made was the English translation of the Bible. Ten years after Wyclif had finished his translation, in 1380, an attempt was made in the House of Lords to pass a bill for suppressing it. On that occasion, however, John of Gaunt, Duke of Lancaster, stoutly declared that he would 'maintain our having this law in our own tongue, whoever they should be that brought in the bill,' and the attempt failed for the time. Afterwards, however, the reading or posses-

* History of Latin Christianity, vol. viii. p. 211, 3rd ed.

† Pref. to Fasciculi zizaniorum Magistri Johannis Wyclif cum tritico, in Rerum Britannicarum medii ævi Scriptores. (London: 1858.)

sion of that version was made a capital crime, and there are many instances on record where the extreme punishment was inflicted.

On December 2, 1525, Edward Lee, afterwards Archbishop of York, writes to the King from Bordeaux, telling him that 'An Englishman, your subject, at the solicitation and instance of Luther, with whom he is, hath translated the New Testament into English, and within a few days intendeth to return with the same imprinted into England.'* The Englishman was Tyndal, and his translation the first ever printed in English. Two editions apparently were struck off in 1525—the first at Cologne, the second at Worms, and a third at Antwerp in 1526. Of the first, a fragment of thirty-one leaves in the Grenville Library is the only one known; of the second, a perfect copy except the title is in the Baptist Museum, Bristol; of the third, no copy is known to exist. The earliest had a narrow escape from destruction before leaving the printers. Cochlæus tells us in his 'History of Martin Luther' that, whilst at Cologne superintending the printing of the works of Abbot Rupert, he had information that two Englishmen were bringing out a work that would convert all England to Lutherism. By inviting the printers to his lodgings and plying them with wine, he extracted from them the intelligence that the book was the New Testament. He gave immediate information to one of the Cologne magistrates, and had the office searched. But Tyndal and his companions had taken the alarm, and carried off the sheets, which had been printed as far as signature K, the edition consisting of 3,000 copies. It had marginal notes and a prologue, the Cologne one containing the text only.

Hearing of these proceedings, the English bishops took immediate action, and subscribed among themselves to purchase as many copies as possible, especially of the Antwerp edition, Archbishop Warham being apparently the prime mover in the matter, though Tonstall, Bishop of London, was the means of its being carried out.† The details will be found in Foxe. A large number of copies were secured, and on Shrove Sunday, 1527, there was a grand demonstration at St. Paul's, and the offending volumes were solemnly committed to the flames, Fisher, Bishop of Rochester, preaching the sermon on the occasion.‡

This burning is alluded to in a very scurrilous publication which appeared probably soon afterwards, though the date of its appearance is very uncertain, called

> 'Rede me and be nott wrothe,
> For I saye no thynge but trothe,'

the authorship of which is usually attributed to W. Roye, a friar observant of the Franciscan order at Greenwich. It consists mainly of a ribald attack upon the 'caytyfe' Wolsey, who spared neither pains nor expense to destroy the work. In 1546 a second edition, considerably altered, was published by Jerome, a friend of Roye, in which the abuse of the Cardinal was transferred to the Romish bishops in general. Perhaps not more than half a dozen copies of the original edition are in existence; one of these is in the Grenville Library in the British Museum.

In June 1530, the King took the first public notice of these translations, incited no doubt thereto by a memorial of the House of Commons which declared that the Acts against errors given by occasion of frantic seditious books compiled, published, and made in the English tongue were badly administered and required more strict laws to be made. Accordingly, he issued a proclamation, a copy of which was discovered some years ago in the Chapter House at Westminster, in which every person 'whiche hath the new testament or the olde translated into Englysshe, or any other boke of holy Scripture so translated, beynge in printe, or copied out of the bokes nowe beinge in printe,' is commanded to give them up within fifteen days, 'as he wyll avoyde the Kynges high indignation and displeasure.' Bishop Stokesley presided at the burning of the Bibles on this occasion.

The first version of the Bible 'set forth wyth the Kynges most gracious licence' was that of Coverdale, but it soon was practically superseded by that issued by 'Matthew' and revised by Cranmer, but based upon that of Tyndal. The question, however, about the version was fully settled by a proclamation, issued July 8, 1546, which orders that 'no man, woman or person of what estate, condition, or degree soever they be, shall after the last day of August next ensuing receive, have, take, or keep in his or their possession the text of the New Testament of Tyndal's or *Coverdale's* translation in English, nor any other than is permitted by the Act of Parliament, made in the Session of Parliament holden at Westminster in the 34th and 35th year of his Majesty's most noble reign.'

When the Scriptures were no longer interdicted, printers themselves began to supply only too satisfactory reasons why many

* Ellis's Letters, 3rd Ser. vol. ii. p. 71.
† Froude, vol. ii. p. 42, note.
‡ Ibid. pp. 43-45.

of their editions should be suppressed. In the year 1631 in a Bible and a Prayer Book printed by R. Barker and the assigns of John Bill, the word 'not' was omitted in the seventh commandment. An omission of precisely the same character is to be found in a German Bible printed at Halle in 1731. This discovery led to a further examination of the edition, which Laud* tells us brought to light not less than 1,000 mistakes in this and another edition of these printers. They were cited accordingly before the High Commission, fined 2,000*l.* or 3,000*l.*, and the whole impression destroyed. Two copies, however, were known to the late Mr. G. Offor, one of which was about to be sent to America; another is in the Bodleian.

A story told about Dr. Usher illustrates very forcibly the extent to which ignorant and inefficient men must have been employed in correcting the press. The Bishop of Armagh 'one day hastening to preach at Paul's Cross, entered the house of one of the stationers, as booksellers were then called, and, inquiring for a Bible of the London edition, when he came to look for his text, to his astonishment and horror he discovered that the verse was omitted in the Bible! This gave the first occasion of complaint to the King of the insufferable negligence and incapacity of the London press, and, says the manuscript writer of this anecdote (Harl. MS. 6395), bred that great contest which followed between the University of Cambridge and the London stationers about the right of printing Bibles.'†

One cannot help contrasting this negligence with the care employed over that rare treasure, Coverdale's Bible of 1535, where the reader's attention is called to a 'faute escaped in pryntyng the New Testament. Upon the fourth leafe the first syde in the sixth chapter of St. Matthew, "seke ye first the kingdome of heaven," read, "seke ye first the kingdome of God."' A New Testament, however, a revision of that translation, printed by J. Nicholson in 1538, was found to be so full of errata that Coverdale ordered the printer to recall as many copies as possible and destroy them. The edition consequently is a very rare one now.

The word 'not' was again omitted in a pearl Bible, printed by Field in 1653; 1 Cor. vi. 9, reads, 'Know ye not that the unrighteous shall inherit the kingdom of God?' Strange, indeed, must be the perversity that could take advantage of so manifest an error. Yet Kilburn, in a little book to be mentioned presently, declares, 'This is the foundation of a damnable doctrine; for it hath been averred by a reverend Doctor of Divinity to several worthy persons that many libertines and licencious people did produce and urge this text from the authority of this corrupt Bible against his mild reproofs, in justification of their vicious and inordinate conversation.' The printer was examined before the sub-committee for religion of the House of Commons, and acknowledged that he had printed off 2,000 copies. The committee, however, succeeded in securing no less than 7,900 copies. Another of Field's Bibles, printed at Cambridge in 1638, contained a famous alteration of the original text. Acts vi. 3, was made to run thus, 'whom *ye* may appoint.' It was said that the Independents bribed the printers for the sum of 1,500*l.* to make the alteration. The report, however, is most improbable, and appears to rest on no good authority. Of another edition, 'printed in King Charles's time,' Noye says in his 'Defence of the Canon of the New Testament' (p. 86), that Psalm xiv. 1, was, 'The fool hath said in his heart, there is a God'; he adds that the printers were fined 3,000*l.*, and all the copies suppressed. An opposite error occurs in Dr. Conquest's edition of the Bible, 'with 20,000 emendations,' (Lond. 1841), where Job v. 7, is, 'Man is not born to trouble as the sparks fly upwards.'

Kilburn had then only too many reasons for the pamphlet he published in 1659, entitled 'Dangerous Errors in several late printed Bibles, to the great scandal and corruption of sacred and true religion.' He describes it as 'an animadversion to all good Christians of this Commonwealth, discovering among many thousands of others, some pernicious, erroneous, and corrupt erratas, escapes and faults, in small impressions of the Holy Bible and Testament, within these late years, commonly vented and dispersed, to the great scandal of religion, but more especially in the impressions of Henry Hills and John Field.' The suppression of the office of King's Printer led, he says, to the importation of impressions from abroad, which were so full of errors that in 1643 Parliament, at the instigation of the Assembly of Divines, destroyed all copies that could be obtained, and forbade all further importations. The assembly desired to find an English printer who would undertake the work; but no one ventured to do so, till Mr. Bentley, of Finsbury, brought out an impression in 1646. In 1655 Hills and Field attempted to monopolise the printing 'by abusing the authority of the State;' but, by Kilburn's account, they were as grievous of-

* Works, vol. iv. p. 165. Oxford edition.

† Disraeli's Curiosities of Literature, vol. iii. p. 428. Ed. 1863.

fenders as any others. After mentioning one of their editions, printed in 1655, which was seized and prohibited, he loses all grammatical propriety in speaking of an edition brought out the following year. 'I am confident, if the number of the impression was (as I am informed) 20,000, there were as many faults therein. . . . It is the worst of all the rest.' The sale of this edition was prohibited by Parliament, but with little effect, as the petty chapmen managed to find customers for them at country fairs and markets.

Of English works committed to the flames before the invention of printing, we must allude, and that briefly, to only one instance, that of Reginald Peacock, the author of 'Precursor,' which Dean Milman characterises as the greatest work, certainly the greatest theological work, which had yet appeared in English prose. In the Dean's 'Annals of St. Paul's Cathedral,' may be read the story, very graphically told, how 'the greatest intellect of his age, the most powerful theologian in England, disgraced himself by miserable cowardice,' in casting his voluminous works with his own hands into the fire.

On June 19, 1520, was issued the Papal bull for the destruction of all Luther's publications. Wolsey declined to enforce it in England, saying it gave him no power to do so; and there is little doubt but that if the Cardinal had been left to himself, none of the cruel preceedings which disgrace the reign of Henry VIII. would have been set on foot. It is in this point he contrasts so favourably with the Lord Chancellor. 'With Wolsey,' says Froude, 'heresy was an error, with More it was a crime.' A special request, however, from the Pope himself to have the bull published in England left him no longer free in the matter. A large number of books accordingly was secured; Wolsey goes in state to St. Paul's; the Bishop of Rochester, at the Pope's command, preaches against Luther, and denounces those who kept any of his writings, and there 'were many burned in the said churchyard of the said books during the sermon.'

Besides the Bibles which were prohibited by the proclamation already mentioned, which was issued in 1530, several other books were laid under similar penalties. Those mentioned by name are: 'The Wicked Mammon,' 'The Obedience of a Christian Man,' 'The Supplication of Beggars,' 'The Revelation of Antichrist,' and 'The Summary of Scripture,' which 'imprinted beyond ye see, do conteyne in them pestiferous errours and blasphemies, and for that cause shall from hensforth be reputed and taken of all men for books of heresie, and worthy to be dampned and put in perpetuall oblivion.' 'The Supplication of Beggars' was the production of Simon Fish, a student of Gray's Inn. Soon after entering, an interlude was performed, written by a member of the Inn, Mr. Roo or Roe. In it there was a considerable amount of abuse of Cardinal Wolsey, and no one else venturing to play the character to which the abuse was assigned, Fish professed himself ready to do so. That night the Cardinal attempted to apprehend him, but Fish escaped to Germany, where he fell in with Tyndal. It seems to have been soon after this that he wrote the book. The British Museum possesses a unique copy of what is probably the first edition. Of the other works mentioned, 'The Summary of Scripture' was a translation by Fish from the German. 'The Wicked Mammon' and 'The Obedience of a Christian Man' were by Tyndal. Another of Tyndal's publications was 'The Practyse of Prelats: whether the Kynges Grace may be separated from hys Queene because she was hys brothers wyfe:' 1546. It is often mentioned by Foxe among the books that were forbidden under heavy penalties to be read or possessed. Frith's writings, too, by which Cranmer is said to have been converted, were among the prohibited books.

In 1546, in the proclamation already mentioned, came the sweeping order that no person whatever should possess 'any manner of bookes, printed or written in the English tongue, which shall be set forth in the names of Frith, Tyndal, Wickliff, Joy, Roye, Basil, Bale, Barnes, Coverdale, Turner, Tracy, or by any of them; or any other booke or bookes containing matter contrary to the Act made in the year 34 or 35.' All such books are to be delivered to the bishop, chancellor, commissary, or sheriff, who shall cause them incontinently to be burned. The extent to which this order was carried out may be inferred from the fact that four treatises attributed (but erroneously) to Wyclif, printed by R. Redman, in 1527—1532, fetched at Mr. James Dix's sale, in February last, no less than 100*l.* apiece. In each case the copy was presumed to be unique. The Treatises are really parts of a book, a more perfect copy of which is to be found in the Lambeth Library.

A vast number of curious books perished in consequence of 'An Act for the abolishing and putting awaie of diverse books and images,' passed 3d and 4th Edward VI.

'The Booke of Common Prayer having been set forth, it is enacted that "All bookes called antiphoners, myssales, scrayles, processionales, manuelles, legends, pyes, portuyses, prymars in Lattyn or Inglishe, cowchers, iournales, ordi-

nales, or other bookes or writings whatsoever, heretofore used for service of the churche, written or prynted in the Inglishe or Lattyn tongue shalbe . . . . . clerelie and utterlie abollished, extinguished, and forbidden for ever to be used or kepte in this realme or elleswhere within any of the King's dominions." Persons in possession of such books are immediately to give them up to the authorities, who within three months are to deliver them to the archbishop or bishop of the diocese, "to be openlye brent or otherwayes defaced and destroied." Persons found with such books in their possession after the time specified are, for the first offence, to pay a fine of twenty shillings, for the second, four pounds, and for the third, to be imprisoned at the King's will. If the civil or ecclesiastical authorities fail to carry out their instructions within forty days, they are to be fined 40*l.*

'Provyded alwayes and be it enacted by thauctoritie aforesaide, that any person or persons may use, kepe, have, and reteyne any prymars in the Englishe or Lattyn tongue, set forthe by the late Kinge of famous memorie, Kinge Henrie theight, so that the sentences of invocation or prayer to saintes in the same prymars be blotted or clerelye put out of the same, anie thinge in this Act to the contrarye notwithstandinge.'*

Hearne † believes that the King, if he had lived, would have repented of this extravagant Act, and lays the blame of it on Cranmer.

Only three proclamations were issued by Queen Mary against books: the first of August 18, 1553, which, amongst other things, forbid the *public* reading and interpreting of the Scriptures; the second, June 13, 1555; and the third, June 6, 1558. With reference to the second, in which twenty-three authors are denounced by name, twelve foreign and eleven English, Strype tells us that the occasion of it was a book sent from abroad, called 'A Warning for England,' which put Englishmen on their guard against Spain, and gave information of a plan that was on foot for regaining possession of the lands formerly belonging to monasteries. And, with regard to the last, he gives the following explanation: ‡—

'There was one book indeed that came out this year, which the proclamation might have a particular eye to, viz., Christopher Goodman's book. It was entitled "How superior powers ought to be obeyed of their subjects, and wherein they may lawfully by God's law be disobeyed and resisted; wherein is declared the cause of all this present misery in England, and the only way to remedy the same. Printed at Geneva by John Crispin, mdlviii. The preface is writ by Will Whittingham, then also at Geneva. Though a little book in decimo-sexto, it is full of bitterness, and encourageth to take up arms against Queen Mary, and to dethrone her; and that upon this reason among others, because it is not lawful for women to reign. As it had Whittingham's preface at the beginning of it, so had it William Kethe, another divine at Geneva, his approbation in verse at the end, which verses will show the intent of the book.'

Then follow four verses, the third of which will be enough to quote here:—

'A public weal, wretched and too far disgraced,
Where the right head * is off cut and a wrong
instead placed:
A brute beast untamed, a misbegotten,
More meet to be ruled than rule among men.

'Such treatment of the Queen as this was did, no question, irritate her much, and provoke her to issue out such angry declarations of her mind and resolutions of taking vengeance of all such-like book-writers and book-readers.'

The proclamation was, indeed, a very strong one; it commands all wicked and seditious books to be delivered up *on pain of death*, without delay, by martial law.

We come now to the reign of Elizabeth, when several works on various subjects were very summarily dealt with. The first we will mention was on a subject that caused great anxiety during this reign, that of the Succession. The doubtful legitimacy of the Queen herself, the testamentary dispositions of Henry VIII. in favour of the children of his younger sister Mary, Duchess of Suffolk, and the claims of Mary, Queen of Scots, as the representative of the King's elder sister Margaret, all concurred to render the question of the future descent of the Crown a subject of most perilous import to those who ventured to discuss it.

One person, however, John Hales, Clerk of the Hanaper, published a book in 1563, entitled 'A declaration of the succession of the crown of England,' in support of the marriage and the claims of Lord Hertford's children by the Lady Catherine Grey. The Queen was so angry at its appearance that the author was committed to the Tower, and Bacon himself, the Lord Keeper, who was suspected of having had a hand in its appearance, fell considerably in his mistress's favour.

In 1594, seven years after the execution of Mary Queen of Scots, appeared 'A conference about the next Succession to the crowne of Ingland,' published by R. Doleman. Imprinted at N. with licence.' This work supported the claims of Lord Hertford's

* Statutes of the Realm, vol. iv. pp. 110, 111.

† Peter Langtoft's Chronicle, vol ii. p. 550 (ed. 1810).

‡ Ecclesiastical Memorials, vol. iii. pt. 2, pp. 131, 132.

* Queen Jane.

second son, or the children of the Countess of Derby, amongst English persons; or, if these are set aside, 'of any one foreyne Prince that pretendeth, the Infanta of Spayne is likest to bear it away.' The authors of the book were R. Parsons the Jesuit, Cardinal Allen, and Sir Francis Englefield. The unfortunate printer is said to have been hanged, drawn, and quartered; and the book itself so rigorously suppressed, that it was made high treason to possess a copy of it. Herbert, however,* contradicts this last assertion. It made little difference, however, which side in the controversy any author might take; the fact of his daring to express his sentiments on the point was a sufficient reason for his being told to hold his tongue. Accordingly, when in 1593, Peter Wentworth published 'A pithie exhortation to her Majestie for establishing her successor to the crown; whereunto is added a discourse containing the author's opinion of the true and lawful successor to her Majesty,' he soon had reason to lament his audacity. A printed slip in the Grenville copy of his book informs us 'Doleman's objections to the succession of James I. were ably refuted in this volume, and the claims of the Scottish King set forth by sound argument; yet for daring to advise his Sovereign, the author was committed to the Tower, where he shortly afterwards died, and his book ordered to be burnt by the hangman.' This last assertion is, we shall see presently, somewhat questionable.

Whether Elizabeth was ever really in earnest in any of her numerous love affairs, it is impossible to say; but perhaps her first admirer, Thomas Seymour, did succeed in gaining her affections; and it seems hard to believe but that the Earl of Leicester had ample reason for supposing his passion to be returned. There can be no question, however, about her unqueenly behaviour towards some of suitors, particularly the Archduke Charles in 1564; or again still more unpardonably, the young Duke of Anjou in 1579, when she was forty-six years old. The general belief that this marriage would take place, roused some vehement feelings, which found expression in a book by John Stubbes, 'The discovery of a gaping gulf whereinto England is like to be swallowed by another French marriage, if the Lord forbid not the Banes, by letting her Maiestie see the sin and punishment thereof.' Hallam assures us that the book was 'very far from a virulent libel, and written with great affection.' If so, he author was very unfortunate in the hoice of his title. On the 27th of September appeared the proclamation for its suppression, where it is described as a 'fardell of false reportes, suggestions, and manifest lies;' and directions are given that it should be destroyed 'in open sight of some publique officer.' The author himself, and Page the distributor, were brought into the marketplace at Westminster, and there had their right hands cut off with a butcher's knife and a mallet. Stubbes took off his cap with his left hand, and cried 'Long live Queen Elizabeth.' On October 5, 1579, a circular was prepared by the council to give notice to the clergy and others that the seditious suggestions set forth in Stubbes's book were without foundation, and that special noted preachers should declare the same to the people. Eleven copies of this circular are in the State Paper Office unfinished, some signed, others not fully signed, and some not signed at all; from which it would appear that none were sent, and that the matter dropped.*

Some time before this, on February 25, 1570, Pope Sixtus V. issued his famous Bull against Queen Elizabeth, a copy of which was nailed on the door of the Bishop of London on May 15. The Pope describes her as a bastard and usurper, the persecutor of God's saints, and declares that it would be an act of virtue, to be repaid with plenary indulgence and forgiveness of all sins, to lay violent hands on her and deliver her into the hands of her enemies. Philip of Spain is the rightful King of England, the Defender of the Faith: he is the head of the league formed for her destruction, and Alexander Duke of Parma is commander-in-chief. The Bull was translated into English, and printed in large numbers at Antwerp. At the same time, Dr. Allen, just made a Cardinal, whom the Queen describes as a 'lewdborn subject of ours, now become an arche traitor,' wrote a pamphlet, which she characterises as a 'vile, slanderous, and blasphemous book, containing as many lies as lines,' under the direction of the Duke of Parma. This pamphlet was translated into English, and a large edition printed for distribution in England, when the enemy should set foot in it. It was entitled 'An Admonition to the Nobility and People of England and Ireland concerning the present Wares, made for the execution of His Holines Sentence by the highe and mightie King Catholike of Spain.' 'The "Admonition,"' says Mr. Motley,† 'accused the Queen of every crime and vice that can pollute humanity, and it

* Ames, vol. iii. 1726.

* Calendar of State Papers, 1547–1580, p. 634.

† History of the United Netherlands, vol. ii. p. 379. Ed. 1869.

was filled with foul details unfit for the public eye in these more decent days.' A copy of this very rare work is in the Grenville Library.

Along with these was prepared a broadside for yet wider distribution. It was to have been posted up in every conspicuous place if the Armada had been successful. The heading was: 'A Declaration of the Sentence and Deposition of Elizabeth the Usurper and pretended Queene of England.' R. Parsons is supposed to have been the author of it. On the failure of the expedition the broadside was so studiously suppressed, that its very existence has been questioned. Two copies, however, at least have come down to us—one sold at the sale of Canon Tierney's library in 1862, when it fetched the sum of 31*l.*, the other is in the Bodleian at Oxford. It will be found printed at length in the Canon's edition of Dodd's 'Church History,' vol. iii. At the time when these libels were being prepared for distribution Elizabeth was in negotiation with the Duke of Parma. The Queen naturally requests her Commissioners to inquire of the Duke concerning these publications. The Duke had the effrontery to declare that he knew nothing either of the Bull or the Admonition. At that very time there was lying in his cabinet a letter, received a fortnight before from the King of Spain, thanking him for having had the Cardinal's letter translated at Antwerp.*

In 1578 appeared another book which caused a great sensation. This was 'A Treatise of Schisme, shewing that al Catholikes ought in any wise to abstaine altogether from heretical Conventicles:' printed at Douay, and written by Gregory Martin, afterwards Professor of Divinity at the English College at Rome. It gave great offence to the Queen and her Ministers, and very naturally, for it invites the ladies about the Queen's person to imitate the example of Judith, in ridding the world of 'Holofernes.' Though printed in 1578, it was not till 1584 that measures were taken concerning it. A copy had been sent by Cardinal Allen to Carter the printer, for a new edition. That very copy, wanting the title-page, is now in the Bodleian. The impression was seized, and Carter himself arraigned at the Old Bailey for printing it, and the next day hanged at Tyburn.

Among the many sects which troubled the Church of England in those days was that of the Brownists, whom Dr. Hook regards as the original Independents. Their founder, Robert Brown, of C.C.C., Cambridge, came back from a journey to Zealand so convinced of the Popish tendencies of the Church of England, as to declare there was nothing of Christ left in her discipline. The books and pamphlets in which his doctrines were set forth were prohibited by a proclamation, issued October 1584; and there is little doubt but that he would have shared the fate of two of his disciples, who were hanged at Bury St. Edmunds for distributing these suppressed publications, had he not been, fortunately for himself, a relation of Lord Burleigh.

Another sect which fell under the Queen's displeasure was the Family of Love. The original founder of this ancient Agapemone was a Dutch Anabaptist, born at Delft, called David George; but the person who gave it its definite form and character was Henry Nicolas, or Nicolai, a native, as some say, of Munster, and others of Amsterdam, who resided for some time in London in the reign of Edward VI. His pretensions were quite as blasphemous as his master's. He gave out that he could 'no more erre or mistake the right than Moyses, the prophets, or Christe and his Apostles, and that his books were of equal authority with Holy Scripture itself. Moses, he said, taught mankind to hope, Christ to believe, but he to love, which last being of more worth than both the former, he was consequently greater than both those prophets.' Attention had been called to their teaching in a book by I. Rogers, published in 1572, called 'The Displaying of an horrible Secte of grosse and wicked Heretiques, naming themselves the Family of Love;' and again by two authors in 1579, W. Wilkinson and I. Knewstub.

Little notice, however, was taken of them till 1580, although in 1575 they had applied to Parliament for toleration, and accompanied their application with a 'confession of faith,'—a curious document, no doubt, which we hope may be discovered by the Historical Commission. What answer was returned to their appeal we cannot tell, but five years afterwards a proclamation was issued against them, which, if the description given of them therein was at all just, was certainly not uncalled for. They are charged with teaching 'damnable heresies, directly contrary to divers of the principal articles of our belief and Christian faith,' and that 'as many as shall be allowed by them to be of that family to be elect and saved, and all others, of what church soever they be, to be rejected and damned.' A still more serious charge is 'that those Sectaries hold opinion that they may, before any magistrate, ecclesiastical or temporal, or any other person, not being professed to be of their sect, by

* Motley, vol. ii. p. 386.

oath, or otherwise, deny anything for their advantage.' Accordingly orders are given to proceed severely against all such persons and also that 'search be made in all places suspected for the books and writings maintaining the said heresies and sects, that they may be destroyed and burnt.' Some of these books are specially mentioned, 'the author whereof they name H. N., without yielding to him, upon their examination, any other name,' 'Evangelium Regni or the Joyful Message of the Kingdom,' reprinted by sentences in Knewstub's book, which he answers one by one, 'Documentall Sentences,' 'The Prophesie of the Spirit of Love,' and 'A Publishing of the Peace upon the Earth.' Rogers mentions eleven works of Nicolas which he had seen, besides two others he had not been able to get a sight of. In 1604 they made an attempt at clearing themselves in a petition to James I., in which they ask the King to read their books and judge for himself, and by no means to confound them with the disobedient Puritans 'whose malice has for twenty-five years and upwards, with many untrue suggestions and most foul errors and odious crimes, sought our overthrow and destruction.' As far as public opinion went, the petition met with but poor success. Fuller, in whose time they went by the name of Ranters, is mightily amused at their anxiety to be separated from the Puritans, 'though these Familists could not be so desirous to leave them as the others were glad to be left by them.' One of the latest accounts of them will be found in the third volume of the Harleian Miscellany.

The ecclesiastical government of the Church of England was a subject of long and bitter controversy. In 1571 there was published a tract in duodecimo called 'An Admonition to Parliament.' It had no title-page and was no doubt printed at a private press. At the end of the second address to the Christian reader are 'reasons which have made us, the authors of these treatises, to kepe back our names, and also to suppresse the name of the printer of them.' The authors were most probably the Puritan divines John Field and Thomas Wilcox. The tract was frequently reprinted, and in 1572 Field and Wilcox presented a copy to the House of Commons and were immediately committed to Newgate. The original tract is of great rarity owing to a proclamation issued June 11, 1573, in which the admonition itself and 'one other also in defence of the sayde admonition' are commanded to be delivered up 'on payne of imprysonment and her highnesse further displeasure.'

Of the controversial publications, however, of the time of Elizabeth, none are more famous than the series of tracts known by the name of the Martin Marprelate tracts. They need only be alluded to very shortly here, as we have a very complete history of them in the work of Mr. Maskell.* The list given by him comprises, including certain replies, eighteen different publications, all now of great, some of excessive rarity. On February 13, 1589, the Queen issued a proclamation against seditious and schismatical books; and one person, John Penry, was arrested as being concerned in their publication, under a constrained interpretation of the Act passed a few years before (anno 23 Eliz. c. 2), which made the publication of seditious libels against the Queen's government a capital felony. Nothing, however, could be proved against him, and after a month's detention he was discharged. Who were the real authors will perhaps never be ascertained, though the late Mr. Petheram thought he had a clue to their discovery, which, however, as far as we know, he never made public. Mr. Maskell tells us they have usually been attributed to Penry, Throgmorton, Udal, and Fenner; but he confesses that after all his inquiries the question remains as obscure as before, and thinks that it is very far from clear that either one of these last named was actually concerned in the authorship of any of the pamphlets. Udal before the Star Chamber declared himself fully persuaded that they were not written by any Puritan minister, and 'I think,' he says, 'there is never a minister in this land that doth know who Martin is. And I for my part have been inquisitive, but I never could learn who he is.' Udal, indeed, could hardly have had a hand in any of the tracts except the earliest. In 1588 he had published anonymously a book called 'A demonstration of the truth of that discipline which Christ has prescribed in his Worde for the government of his Church in all times and places until the world's end.' He was cited before the Star Chamber on the charge that 'he not having the fear of God before his eyes, but being stirred up by the instigation and motion of the devil, did maliciously publish a slanderous and infamous libel against the Queen's majesty, her crown and dignity.' The evidence of his authorship was not very strong, but his judges attempted in every possible way to make him criminate himself. Time after time he was asked, 'Did you make the book, Udal,

* A History of the Martin Marplelate Controversy in the reign of Queen Elizabeth. London: 1845.

yea or no?' Imperfect, however, as was the evidence he was condemned to be hanged, and probably would have been but for the intercession that King James of Scotland made for him with the Queen. Meantime through the earnest solicitations of his friends, he was induced to express his sorrow that he had given her Majesty such deep and just occasion for displeasure. His pardon was to have been granted, and he himself had arranged with some Turkey merchants to go to Guinea. But for some reason or other the ships had to go without him and he ended his days in the White Lion Prison in 1592.

It was in the time of the Stuarts that the 'Doctrine of the Divine Right of Kings' attained its most extravagant development. In 1607 a book was published at Cambridge which roused in some quarters very intense indignation. This was Dr. Cowel's 'Law Dictionary, or the interpreter of words and terms used either in Common or Statute Law of this realm,' written, it was believed, at the request of Archbishop Bancroft. In this work it is declared that the King is not bound by the laws of the realm; he could pass what decrees he liked without consulting Parliament; if he asked their consent in matters of finance, it was as a favour not as a right. 'Though at his coronation he took an oath not to alter the laws of the land, yet, this oath notwithstanding, he may alter or suspend any particular law that seemeth hurtful to the public estate.' No wonder it found favour in the eyes of James, but it roused the jealousy of Parliament and it was censured in both Houses. The King, seeing how intense the feeling was, did not dare to interfere. The author was imprisoned though only for a short time, and the King had to issue a proclamation for the suppression of the book, which was committed to the flames, 'for which the Commons returned thanks with great joy at their victory.' In the proclamation the King complains that 'from the very highest mysteries of the Godhead and the most inscrutable councels in the Trinitie to the very lowest pit of Hell and the confused actions of the divells there, there is nothing now unsearched into by the curiositie of men's braines;' and that as 'these men sit with God in His most privie closet,' so 'it is no wonder that they doe not spare to wade in all the deepest mysteries that belong to the persons or the state of Kinges and Princes, that are gods upon earth.' The proclamation ends with a clause of considerable importance: 'For better oversight of books of all sortes before they come to the presse, we have resolved to make choice of commissioners that shall looke more narrowly into the nature of all those things that shall be put to the presse, either concerning our authoritie royall or concerning our government, or the lawes of our Kingdom.'

Whatever hopes the Puritans may have been induced to indulge in of advantage to themselves from the Hampton Court Conference must have been unpleasantly dissipated when that mock conference actually commenced. The King had been 'brought up among Puritans, not the learnedest men in the world, and schooled by them;'* but his want of sympathy with their doctrines was unmistakeably shown in the rude and unfair manner in which he treated their arguments. James's theology, however, was, after all, except on the point of Conformity, of a very uncertain description, and it veered capriciously between 'High and Low' Church opinions. In 1617, Mr. Sympson, Fellow of Trin. Coll. Cambridge, was obliged to recant certain statements he had made in a sermon preached before the King, which advocated Arminian views; and that very same year Dr. Mocket's treatise, 'Doctrina et politia Ecclesiæ Anglicanæ,' fell under censure, because it favoured the Calvinists. Dr. Mocket's intention was to give foreign churches a fair notion of the doctrines of the English Church; and for that purpose he had translated the Prayer Book into Latin, adding Jewel's Apology and Nowell's Catechism. But in his translation of the Articles he had omitted the latter part, which sets forth the power of the Church in rites and ceremonies and in controversies of faith. Besides this, instead of printing the Homilies at length, he had given an abbreviation of them, not fairly representing the opinions of this Church; and, moreover, in a treatise of his own, he had not given the See of Winchester precedence over all others, next to London, but only over those whose bishops were not privy councillors. Dr. Montagu, Bishop of Winchester, was at that time on bad terms with Archbishop Abbot, whose chaplain Dr. Mocket was; the King was appealed to; and the result was a public edict by which the book was ordered to be burnt. 'Truly,' says Mr. Perry, 'in those days the gift of composition was a dangerous one; even to write without intent to preach (as Mr. Peacham did), might forfeit a man's life; to preach Arminianism was a crime in one place, to advocate Calvinism a heresy in another.'† The part James took

* Barlow's 'Sum and Substance of the Conference at Hampton Court,' in Cardwell's Conferences, p. 177.

† History, vol. i. p. 255.

with respect to the Synod of Dort, which was held in 1618, shows us the King in a Calvinistic mood; but the decided line Archbishop Abbot took with regard to the support of the King's son-in law, the Elector Palatine, in his claim to the crown of Bohemia, threw the King's influence in the opposite direction. This was strongly shown in 1624, in the case of the future Bishop of Winchester, then rector of Stamford Rivers. Finding that certain Jesuits had been very busy in his parish, 'he left in one of the houses certain propositions written down, together with an offer that, if they would convince him in any one of them, he would become a convert.' They replied by sending him a pamphlet, entitled 'A Gag for the new Gospel.' Montagu, however, showed himself more than a match for them in his answer, which he called 'A Gagg for the new Gospel? No, A Gagg for an old Goose, who would needs undertake to stop all Protestant mouths for ever with 276 places out of their owne English Bibles.' In it Montagu proved that several Calvinistic doctrines with which the Church of England was charged were no part of her teaching. Two lecturers at Ipswich, Yates and Ward, set to work to examine the book, and made out a list of statements which they said favoured Popery and Arminianism, and laid them before Parliament. Montagu, knowing how little he had to expect from their tender mercies, applied to the King, who promised to protect him. Meanwhile he was urged to write another book defending his opinions, which he accordingly did in his 'Appello Cæsarem: a just appeale from two unjust informers.' Before the edition could be printed off the King died. On Charles's accession, the House of Commons proceeded to take steps against the Doctor for his new publication. He was summoned to the bar of the House, committed to the custody of the Serjeant, and afterwards admitted to bail in the amount of 2,000*l.* Though the King now interfered, the matter was not allowed to drop, and it was only through the hasty dissolution of the Oxford Parliament that he was unmolested. But in the next session the book was referred to by, what appears for the first time in the proceedings of the House of Commons, the Committee of Religion. The issue was that the House prayed the King, 'that the said Richard Montagu may be punished according to his demerits, in such exemplary manner as may deter others from attempting so presumptuously to disturb the peace of the Church and State, and that the books aforesaid may be suppressed and burnt.' It was not, however, till January 14, 1628, that the proclamation for its suppression was issued; what it really amounted to may be gathered from the fact that on August 24 of that year Montagu was consecrated Bishop of Winchester.

In the previous year, Dr. Mainwaring, one of the King's chaplains, had got into trouble for some sermons he had preached before the King, the sermons being afterwards printed by the King's permission. In these the opinions of Dr. Cowel, alluded to, were very strongly reproduced. After a censure by the House of Commons, the author was impeached before the House of Lords, who gave judgment: 1. That Dr. Mainwaring shall be imprisoned during the pleasure of the House; 2. That he be fined 1,000*l.* to the King; 3. That he shall make such submission and acknowledgment of his offences as shall be set down by a committee in writing both at the bar and in the House of Commons; 4. That he shall be suspended three years from the exercise of his ministry; 5. That he shall hereafter be disabled from any ecclesiastical dignity; 6. That he shall be for ever disabled to preach at the Court hereafter; and 7. That his Majesty be moved to grant a proclamation for the calling in of his books, that they may be burnt in London and both Universities. The King accordingly issues a proclamation, in which he declares that the Doctor had 'drawn upon himself the just censure and sentence of the high Court of Parliament.' Mainwaring himself made a most abject apology to the House, and after the session was over, the fine was remitted, the Doctor himself released from prison, two livings given him, and in 1636 he became Bishop of St. David's.

'The disputes which agitated the Church in the times of Elizabeth were at first, in many instances, unpardonably foolish and trifling. Taking as indulgent a view as we can of the Puritans of her time, it cannot be denied that they are eminently provoking. That sober and pious men should think themselves justified in convulsing, worrying, and distracting the young Church struggling towards maturity and strength amidst the greatest obstacles, on the miserable question of church vestments, or the insignificant matter of the use of the cross in baptism, seems to show a sufficiently bitter and litigious spirit, and with this, in fact, the Puritan clergy are justly chargeable. They fought factiously and they fought unfairly. They were most loud and troublesome when there was the greatest danger from the Papist and the Spaniard, and they suddenly assumed a quieter tone when the power of the foreign foe was broken.'*

One of their great objects was the overthrow

* Perry, vol. i. pp. 16, 17.

of the Bishops, but even here, the ground they occupied at the beginning was shifted entirely as the dispute went on. 'They first desired only to shake down the leaves of Episcopacy,' says Fuller, 'misliking only some garments about them; then they came to strike at the branches, and last of all they did lay their axe unto the root of the tree.' By the time of Charles I. opinions had grown still further embittered, and it is in that reign that we find the severest examples of punishment incurred for any publications that reflected upon the third order of the ministry. In 1628 there appeared a very scurrilous work by a Scotch doctor of physic and divinity, Alexander Leighton, father of the Archbishop, entitled 'An Appeal to the Parliament; or Sion's Plea against the Prelacie. Printed the year and month in which Rochelle was lost.' He calls bishops men of blood, ravens, and magpies; he declares the institution of Episcopacy to be anti-christian and satanical; the Queen is a daughter of Heth, and the King is corrupted by bishops to the undoing of himself and people; and he approves of the murder of Buckingham. Language such as this could hardly have been passed over unnoticed. But it was not till June 4, 1630, that the author was brought before the Star Chamber. There was no difficulty in pronouncing him guilty of seditious and scandalous writings; and he was sentenced to a terrible and barbarous punishment. Besides a fine of 10,000*l.* and degradation from the ministry, he was publicly whipped in Palace Yard, made to stand two hours in the pillory; one ear was cut off, a nostril slit open, and one of his cheeks branded with the letters S. S. (Sower of Sedition). After this he was sent off to the Fleet Prison. At the end of a week, 'being not yet cured,' he was brought out again, underwent a second whipping, and a repetition of the former atrocities, and was then consigned to prison for life, where he actually spent eleven years. In April 1641 his sentence was reversed by the House of Commons, and he received such consolation as it could afford him, when it was decided that his former mutilation and imprisonment had been entirely illegal.

There are few men whom a *cacoethes scribendi* ever brought into such trouble as William Prynne, 'utter barrister of Lincoln's Inn.' Of his publications, nearly 200 in number, the first appeared in 1627, entitled 'The perpetuity of a regenerate man's estate, against the Saint's total and final Apostasy.' In the following year, besides other works he published 'A brief survey and censure of Mr. Cozens, his couzening devotions.' The burning of these two books by command of the High Commission Court is one of the charges Michael Sparkes brings against Archbishop Laud on his trial. 'But,' writes the Archbishop in the 'History of his Troubles,' 'he does not say absolutely burnt, but "as he is informed," and he may be informed amiss.' There is no doubt, however, about the treatment of another of his publications, which appeared in the early part of 1633. This was 'The Histriomastix, the player's scourge or actor's tragedies,' a book which, as we shall see presently, appears to have had the distinction of being the first publication burnt in England by the hands of the common hangman. Prynne showed no little courage in publishing this book at a time when the Court was not only very much addicted to dramatic representations, but had such easy means at hand for suppressing seditious and treasonable publications. Much, however, might have been overlooked in Prynne's book had he not spoken in such unmeasured terms of 'women actors.' This was interpreted into a special attack upon the Queen, who had herself taken part in the performance of a pastoral at Somerset House. True, the book had been published at least six weeks before, but there was rank treason in it for all that, and Prynne accordingly was cited before the Star Chamber in February 1633, together with Michael Sparkes the printer, and W. Buckner, the licenser of the obnoxious book. It was no use for Prynne to say through his counsel, Hern—afterwards employed in the defence of Laud—that he was heartily sorry for the strong language he had employed; the judges vied with each other in condemning him to the most extreme penalties they could inflict. The Earl of Dorset was the most vehement, but it will be enough to quote the judgment of Lord Cottington, the Chancellor of the Exchequer.

'I do in the first place begin censure with his book. I condemn it to be burnt in the most public manner that can be. The manner in other countries is (where such books are), to be burnt by the hangman, though not used in England (yet I wish it may in respect of the strangeness and heinousness of the matter contained in it) to have a strange manner of burning, and therefore I shall desire it may be so burnt by the hand of the hangman.

'If it may agree with the Court, I do adjudge Mr. Prynne to be put from the bar, and to be forever uncapable of his profession. I do adjudge him, my Lords, that the Society of Lincoln's Inn do put him out of the Society; and because he had his offspring from Oxford (now with a low voice said the Archbishop of Canterbury, "I am sorry that ever Oxford bred such an evil member!"), there to be degraded. And I do condemn Mr. Prynne to stand in the

pillory in two places, in Westminster and Cheapside, and that he shall lose both his ears, one in each place, and with a paper on his head declaring how foul an offence it is, viz., that it is for an infamous libel against both their Majesties' State and Government. And lastly (nay, not lastly), I do condemn him in 5,000*l.* fine to the King. And lastly, perpetual imprisonment.'

Buckner, who had been domestic chaplain to Abbot the Puritanical Archbishop of Canterbury, was to be fined 50*l.*; Sparkes 500*l.*, and to stand at the pillory, 'without touching of his ears,' in St. Paul's Churchyard. 'It is a consecrated place,' saith the Archbishop of Canterbury. 'I cry your Grace's mercy,' said my Lord, 'then let it be in Cheapside.'

Prynne's sufferings by no means ended here. On the 14th of June, 1637, we find him a second time before the Star Chamber, this time in company with Dr. J. Bastwick and H. Burton, 'for writing and publishing seditious, schismatical, and libellous books against the hierarchy of the Church.' Bastwick, though he called himself M. D. apparently without any claim to the title, seems to have had few if any patients, and tried literature. He had his book printed in Leyden in 1624, and its title was 'Elenchus religionis Papisticæ, in quo probatur neque Apostolicam, neque Catholicam, neque Romanam esse.' It was written in answer to a book by Richard Short, which defended the Papal supremacy, the doctrine of the mass, and the Romish religion in general. In the year 1635, at the request of a friend, he published an epitome of this book, called 'Flagellum Pontificis et Episcoporum Latialium.' 'Though professing to be directed against the Church of Rome, 'tis more than manifest,' Laud says, 'that it was purposely written and divulged against the Bishops and Church of England.' For this he was cited before the High Commission Court, when thirty-seven articles were charged against him. He was acquitted of all the charges except one, and that was his maintaining bishops and priests to be the same order of ministers, or, as he expressed it himself, 'Impingitur horrendum crimen quod infulis et apicibus jus divinum negaverim, quod Episcopi et Presbyteri paritatem asseruerim.' For this he was condemned to pay a fine of 1,000*l.*, to be excommunicated, to be debarred from the practice of his profession, his book to be burnt, and he himself to pay the costs and remain in prison till he recanted; and 'that is,' he says, 'till domesday in the afternoone.' Whilst in the Gate House he published, in 1636, another book called 'Πράξεις τῶν ἐπισκόπων: sive Apologeticus ad præsules Anglicanos criminum Ecclesiasticorum in Curia Celsæ Commissionis,' written, he tells us in the Petition he afterwards presented to the House of Commons, in answer to a book by Thomas Chowney, a Sussex gentleman, who maintained that the Church of Rome was a true church, and had not erred in fundamentals. The year following appeared a far more infamous book entitled 'The Letany of John Bastwicke, being now full of devotion as well as in respect of the common calamities of plague and pestilence, as also of his own particular misirie: lying at this instant in Limbo patrum. Printed by the speciall procurement and for the especiall use of our English prelats in the yeare of Remembrance Anno 1637.' At first it was only shown to a few friends in manuscript, but afterwards it came to be printed in this way. John Lilburne, afterwards a lieutenant-colonel in the Parliamentary army, and who behaved with such gallantry at Marston Moor, got introduced to Dr. Bastwick in 1637, and was so much pleased at hearing the Letany, that having a little ready money at command, he undertook to get it printed in Holland. Bastwick was at first averse to this, as he distrusted a friend of Lilburne's, who would have to assist in disposing of the impression. His scruples, however, were overcome, and the Letany, together with another libellous publication, entitled 'Answers to the Information of Sir John Banks, Kt., Atturney Universall,' committed to the press. The first edition realised a handsome profit; but now Laud got scent of the publication, laid hold upon the disperser, and made him confess who the main culprit in the business was. Accordingly when Lilburne landed with another impression, he was seized along with his cargo, and the books burnt by the hands of the common hangman.

H. Burton, B.D., was the incumbent of St. Matthew's, Friday Street, the church in which Pepys tells us of a disturbance in his time; 'a great many young people knotting together and crying Porridge, often and seditiously in the church; and they took the Common Prayer Book, they say, away, and some say did tear it.' Burton had been clerk of the closet to Prince Henry, and afterwards to Prince Charles; a position in which he was not continued when Charles became King. In this bitter disappointment we find an obvious explanation of his appearing in the company of such men as Bastwick and Prynne. The book which brought him into trouble was 'An apology for an appeal to the King's Most Excellent Majesty, with 2 Sermons for God and the

King, preached on the 5th of November last [1636].' Another of the libels complained of was mainly, if not altogether, from his hand. This was 'The Divine Tragedy recording God's fearful judgments against Sabbath breakers;' a book directed against Noye, the Attorney-General, who, it was made out, was visited with a judgment from heaven whilst laughing at Prynne as he stood in the pillory. These two books of Burton's, two of Bastwick's, the 'Apologeticus,' and the 'Letany,' and a fifth called 'News from Ipswich,' were the libels which were proceeded against. Laud, however, tells us that the book for which they were sentenced was one written by Burton, and printed and sent by himself to the Lords sitting in Council, entitled 'A letter to the true-hearted nobility.' Prynne, so far as the evidence went, had not been guilty of any fresh offence; for the Court was not aware that he was really the author of the 'News from Ipswich,' which had been published under the name of W. White. But there is little doubt that he was really answerable for the contents of the libels, and that Laud's account is substantially correct, when he says that Prynne 'makes Burton and Bastwick utter law, which God knows they understand not; for I doubt his pen is in all their pamphlets.' Of course the three men were found guilty. Lord Cottington's sentence was that they should lose their ears in the Palace Yard at Westminster, be fined 5,000*l.*, and imprisoned for life in three remote places of the kingdom. Lord Finch suggested, in addition to this, that Prynne should be branded on the cheek with two letters (S.L.), for seditious libeller. 'To which all the Lords agreed, and so the Lord Keeper concluded the censure.'

The Puritans by no means neglected the cheap and easy way of answering an adversary by burning his books. It was, perhaps, of very little consequence that such effusions as Coppe's 'Fiery Flying Roll,' or Lawrence Clarkson's 'Single Eye,' or 'The accuser shamed, or a pair of bellows to blow off that dust cast upon John Fry, a member of Parliament, by Col. John Downs, likewise a member of Parliament,' or Lilburne's 'Just reproof of Haberdasher's Hall,' were consigned to the tender mercies of the common hangman. But we suspect there were few books they so congratulated themselves on committing to the flames as the King's 'Book of Sports.' This ill-judged publication was issued by King James in 1618, on the advice of Morton, Bishop of Chester, and was intended in the first instance for the good people of Lancashire, among whom the King had lately been on progress, and who had shocked him by their Puritanical observance of Sundays. Accordingly he recommends them after divine service to devote themselves to dancing, archery, leaping, vaulting, May-games, Whitsun-ales, Morris-dances, and such like. The baiting of animals, interludes, and especially that which was 'prohibited at all times to the meaner sort of people — bowling,' were forbidden. Some improvement was afterwards introduced by the restrictions that 'people should have no liberty for recreation till after evening prayer; and the non-recusant, who came not to morning and evening prayers, should be incapable of such His Royall indulgence at all." Though specially addressed to Lancashire, the book was directed to be read in all churches throughout England. We can easily imagine what consternation this caused to a considerable number of James's subjects, and how Archbishop Abbot, who was staying at Croydon, felt it his duty to forbid its being read in that church. One book at least was published in answer to the Declaration by John Trask, in which Sabbatarian views of the most extreme kind were advocated. For this publication the author was set in the pillory at Westminster, and whipt to the Fleet, and then imprisoned.

The excitement was renewed in 1633, when Charles re-issued the Declaration:—

'That it was impolitic and dangerous to publish the "Book of Sports" is doubtless true, but that, under the circumstances of the case, it was almost necessary for the King and his advisers to do this, or abandon their own opinions, is perhaps also capable of proof. It must be remembered that the King and the High Church party were not the movers in the matter. The judges had taken it upon themselves to forbid the celebration of the village feasts or wakes on the Sunday, and had ordered, most unwarrantably, the clergy to publish their decrees in the time of service. This was as direct and distinct an invasion of ecclesiastical jurisdiction as could well be devised, and it excited, as might be expected, the wrath of the Archbishop. But the Chief Justice (Richardson) seemed determined to set him and the King at defiance, and repeated, on his next circuit, his former order. An inquiry was then made through the Bishop of Bath and Wells, as to how the dedication feasts were observed in the villages, and seventy-two grave divines reported that they were observed religiously and orderly. Upon this the Chief Justice was called before the Council and received "such a rattle" for his former contempt that he came out complaining "that he had almost been choked by a pair of lawn sleeves."'*

In 1644, however, when Puritan influence had become supreme in Parliament, a reso-

* Perry, vol. i. pp. 464–466.

lution was passed by both Houses that the obnoxious book should be burnt by the Justices of the Peace, in Cheapside, and at the Exchange. The sheriffs of London and Middlesex had instructions to assist effectually in carrying out the order of the 10th of May; all persons were required to deliver up their copies to the proper authorities. On that day accordingly all that could be laid hold of were destroyed.

After the Restoration, the custom of book-burning soon came into use. On the 16th of June, 1660, the House of Commons passed a resolution that his Majesty be humbly moved to call in three books written in justification of the murder of the late King, and order them to be burnt by the common hangman. Two of these were by Milton; the '*Εἰκονοκλάστης*, in answer to *Εἰκὼν βασιλική*,' published in 1649, and 'Defensio pro populo Anglicano contra Claudii Salmasii Defensionem regiam' in 1650. The third work was by John Goodwin, and was entitled '*Ὑβριστοδίκαι*, the Obstructors of Justice, or a Defence of the honourable Sentence passed upon the late King by the High Court of Justice, 1649.' In accordance with this resolution, the King issued a proclamation on August 13, ordering the suppression of these books, and stating that Milton had fled from justice. By the next assize day, August 27th, a considerable number of copies of the prohibited works had been brought to the sheriffs of the different counties, and on that day they were burnt. The authorities were satisfied with this expression of feeling, and three days afterwards an act of indemnity was passed, which included Milton.

It was very seldom that the Pastoral Letter of an English Bishop fell into the hands of the hangman, yet such was the fate in 1693 of one of Bishop Burnet's, printed in 1689. The account of it is given by Burnet himself in the rough draught of the 'History of his Time,' now in the British Museum (Harl. MSS. 6584). He omitted it for some reason or other in his printed edition.

'In the last session of Parliament some began to find fault with a notice by which some divines had urged obedience to the present Government, that here was a conquest over King James, and that conquest in a just way gave a good title. This some had carried so far as to say, in all wars, just or unjust, conquests were to be considered as God's transferring the dominion from the conquered to the conqueror; yet all these writers had taken care to distinguish between a conquest of a nation and a conquest of King James: the latter being only that which was pretended, that, as they said, gave the King all King James's right. This doctrine was condemned by a vote of both Houses, and a book that had set it forth with great modesty and judgment was in great heat condemned to be burnt; and because in a treatise that I had writ, immediately after I was a bishop, to persuade my clergy to take the oaths, I had only mentioned this as a received opinion among lawyers, and had put it in among other topics, but had put the strength of all upon the lawfulness and justice of the present establishment, they fell upon that little book, and ordered it likewise to be burnt. So it looked somewhat extraordinary that I, who perhaps was the greatest asserter of public liberty, from my first setting out, of any writer in the age, should be so severely treated as an enemy to it. But the truth was, the Tories never liked me, and the Whigs hated me, because I went not into their notions and passions; but even this and worse things that may happen to me shall not, I hope, be able to make me depart from moderate principles and the just asserting of the liberty of mankind.'

The book the Bishop alludes to is an anonymous publication, entitled 'King William and Queen Mary Conquerors.' The author was Charles Blount, a person of some talent, but an infidel; one of his works had been seriously curtailed by Sir Roger L'Estrange, the first 'Licenser of the Press,' and finally suppressed by order of the Bishop of London. In consequence of this treatment, and the prospect of a repetition of it if he ventured on any new work, he issued from some unlicensed press a pamphlet called 'A just Vindication of Learning and of the Liberty of the Press: by Philopatris.' It is a curious proof of the little acquaintance which readers in those days had with the prose works of Milton, that though Blount's pamphlet consisted of little else but garbled extracts from the 'Areopagitica,' the gross plagiarism was never discovered. Blount, encouraged by this, compounded on similar principles another pamphlet, 'Reasons for the Liberty of Unlicensed Printing.' At the end of it he added 'A Just and True Character of Edmund Bohun,' who had succeeded 'Catalogue' Fraser, the State Licenser appointed at the Revolution, and this work he contrived should be widely but privately circulated. Meanwhile he laid a very clever trap for Bohun, who, though a very strong Tory, had taken the oaths to the Prince of Orange, and justified his so doing by arguments which mightily offended Whigs and Tories alike. In his new work Blount enunciated opinions exactly the contrary to those he really held, of course for the sake of deceiving Bohun. 'The trap was laid and baited with much skill. The republican succeeded in personating a high Tory. The atheist succeeded in personating a high

Churchman.'* Bohun gladly gave permission for its publication, but he soon found cause to repent of so doing. The House of Commons sat in judgment upon it; condemned it to the care of the hangman, and petitioned the King that Bohun should be removed from his office. Their sentence was carried out. Some expressions in Bishop Burnet's Pastoral were thought too much akin to the spirit of this work to be allowed to pass unnoticed any longer. Some wag in the House during the debate called out 'Burn it, burn it,' and burnt it was accordingly, but only by a majority of 7 votes in a House of 317 members.

In 1705 a pamphlet appeared which caused great excitement. It was called 'The Memorial of the Church of England, humbly offered to the consideration of all true Lovers of our Church and Communion,' the name of the author being withheld. The occasion of its being written was that a bill against 'occasional conformity' had three times failed in passing the House of Lords. The pamphlet was alluded to by the Queen in her speech to Parliament; both Houses addressed her Majesty, requesting her to punish the author of so groundless and malicious an assertion as that the Church was in danger under her administration. The grand jury of Middlesex condemned it to be burnt before the Court, and again before the Royal Exchange and the Palace Yard, Westminster, and a reward of 1,000*l.* was offered for the discovery of the author. The Duke of Buckingham was at one time thought to be responsible for it. All, however, that could be extracted from the printer, David Edwards, was that two women, one of them wearing a mask, brought the manuscript to him with directions for the printing of 350 copies, and that these were delivered to four persons sent to his office to receive them. The author was a physician of some eminence and a F.R.S., J. Drake, though Mr. Pooley, the Member for Ipswich, seems to have supplied him with the legal information contained in it. So determined were the Government to suppress it that a bookseller having printed it with an answer, paragraph by paragraph, all the copies were seized immediately and destroyed. The libel was reprinted in Dublin, and very imprudently dedicated to the Lord Lieutenant. This edition also was destroyed by authority.

Four years afterwards another person of great notoriety appeared upon the world's stage—Dr. Sacheverell. At the age of fifteen he had gained a demyship at Magdalen College, Oxford, and afterwards became Fellow and Tutor of the same college. Whilst residing there he became acquainted with Addison, who had migrated to Magdalen from Queen's. So much attached were they to each other, that Addison dedicated his 'Account of the Greatest English Poets,' written at the time when he purposed entering holy orders, to his 'dearest friend and colleague,' H. Sacheverell. In 1705 he was appointed preacher at St. Saviour's, Southwark, and it was whilst holding this appointment that he delivered the two sermons which brought him into such notoriety. Party-feeling in those days ran high both in religion and politics, and Sacheverell was an outspoken High Church Tory of the most extreme kind. On the 14th of August, 1709, he preached his sermon at Derby; and on the 9th of November what Lord Campbell calls his 'contemptible sermon,' 'Perils among False Brethren,' at St. Paul's.

These sermons, however, brought him under the notice of Government. Notwithstanding Lord Somers's better advice, it was determined by the Cabinet, the Prime Minister, Lord Godolphin, whom Sacheverell had attacked under the name of Volpone, being especially urgent in the matter, to proceed by way of impeachment. The Member for Liskeard, Mr. Dolben, was intrusted with bringing the matter before the House of Commons, which voted that the sermons were 'malicious, scandalous, and seditious libels, highly reflecting on the Queen and her government, the late happy revolution, and the Protestant succession.' On the 27th of February, 1710, he was brought to trial in Westminster Hall. The opening of the trial was quite a spectacle. The Queen occupied a private box. The House of Lords was seated in the centre of the Hall. The House of Commons were on one side and a galaxy of ladies on the other. The evidence was summed up by Mr. Lechmore, 'a man of parts, but a most vile stinking Whigg,' as Hearne calls him; Sacheverell's defence being, it is thought, the composition of Bishop Atterbury, to whom the Doctor afterwards bequeathed 500*l.*, though John Wesley also claims the credit of it for his father. Sentence was given on March 24, when, out of 121 members, he was condemned by a majority of 17,—7 bishops voting against, and 6 for him. It was only by a majority of 6 that he was suspended for three years, whilst the motion that he should be incapable of further preferment was lost by a majority of 1. The leniency of the sentence was regarded by his friends as a great triumph. The sermons

* Macaulay's History of England, vol. iv. p. 356.

themselves were condemned to the flames, and with them a decree of the University of Oxford, passed July 1683, maintaining the absolute authority of princes, and which Sacheverell had used in his defence. Lord Campbell considers the prosecution as the most suicidal thing the Government could have done. But Burke, in his 'Appeal from Old to New Whigs,' takes a very different view :—

'It was carried on for the purpose of condemning the principles on which the Revolution was first opposed and afterwards calumniated, in order by a judicial sentence of the highest authority, to confirm and fix Whig principles as they had operated in the resistance to King James and in the subsequent Settlement, and to fix them in the extent and with the limitations with which it was meant they should be understood by posterity.'

One of Sacheverell's opponents, the author of 'Robinson Crusoe,' had got himself into trouble a few years before the impeachment of the High Church Doctor. In 1702 he published 'The shortest way with the Dissenters; or, proposals for the establishment of the Church.' Though in reality a satire of exquisite irony from beginning to end, its true nature was so cunningly concealed as at first to deceive both high and low churchmen alike. When, however, its real object was discovered, the indignation against the author was intense. De Foe was prosecuted for libel, and condemned to pay a fine of 200 marks to the Queen (his expenses altogether amounted to more than 3,500*l.*, and brought him to ruin), to stand three times in the pillory, to be imprisoned during the Queen's pleasure, and to find securities for his good behaviour for seven years. Besides this, the book was, by an ordinance of Parliament of February 25, 1703, ordered to be burnt by the hands of the hangman in New Palace Yard, as 'full of false and scandalous reflections on the Parliament, and tending to promote sedition.'

Along with De Foe's, another name has been immortalised in the 'Dunciad :'—

'Earless on high stood unabash'd Defoe,
And Tutchin flagrant from the scourge below.'

Tutchin, in the times of James II., had endeavoured to help on the rebellion of Monmouth by a pamphlet, for which he was sentenced by Judge Jeffries of famous memory to be whipped through certain market towns in the West of England. The executioner used such energy in his work that Tutchin, after the first instalment of his punishment, petitioned the King that he might be hanged. This favour was not granted, and 'in revenge he lived to write a most virulent attack upon the memory of that unfortunate monarch.'

The year 1762 is famous for the appearance of the first number of a publication which was soon to acquire great notoriety, 'The North Briton.' It was started by John Wilkes, assisted by Mr. Charles Churchill, one contributing most of the talent, the other the abuse. Virulent, however, as were its principles, and gross its attacks on Lord Bute, it continued its career undisturbed till its forty-fifth number. By that time the seven years' war, which added 60,000,000*l.* to our National Debt, had come to an end, and a treaty of peace signed at Paris, February 10, 1763. On the dissolution of Parliament on the 19th of April, the King, alluding to this treaty, said in his speech, 'My expectations have been fully answered by the happy effects which the several allies of my crown have derived from this salutary measure. The powers at war with my good brother, the King of Prussia, have been induced to agree to such terms of accommodation as that great prince has approved; and the success which has attended my negotiations has necessarily and immediately diffused the blessings of peace through every part of Europe.' On the 23rd appears Wilkes's comment on it. 'The infamous fallacy of the whole sentence is apparent to all mankind, for it is known that the King of Prussia did not only approve, but actually dictated as conqueror, every article of the terms of peace. No advantage of any kind has accrued to the magnanimous prince from our negotiations, but he was basely deserted by the Scottish Prime Minister of England.' Wilkes was arrested, but released on his privilege of Member of Parliament, and went to France. The House of Commons expelled him, and ordered the obnoxious publication to be burnt by the hangman at the Royal Exchange. This was carried into effect on December 3rd, but the mob was so incensed at the indignity shown to their champion that they drove the authorities from the field. 'Several other persons,' says Malcolm,* 'had reason to repent the attempt to burn that publicly which the *sovereign people* determined to approve, who afterwards exhibited a large *jack-boot* at Temple Bar, and burnt it in triumph unmolested, as a species of retaliation.'

What happened after this may be given in the words of Lord Mahon :—

'It was also observed and condemned as a shallow artifice, that the House of Lords, to counterbalance their condemnation of Wilkes's

* Anecdotes of London, 1808, p. 282.

violent democracy, took similar measures against a book of exactly opposite principles. This was a treatise or collection of precedents lately published under the title of "Droit le Roy [or a digest of the rights and prerogatives of the Imperial Crown of Great Britain, by a member of the Society of Lincoln's Inn. Jan. 1764."] The Peers, on the motion of Lord Lyttelton, seconded by the Duke of Grafton, voted this book "a false, malicious, and traitorous libel, inconsistent with the principles of the Revolution to which we owe the present happy establishment;" they ordered that it should be burnt by the hands of the common hangman, and that the author should be taken into custody. The latter part of the sentence, however, no one took pains to execute. The author was one Timothy Brecknock, a hack scribbler, who twenty years afterwards was hanged for being accessory to an atrocious murder in Ireland.'*

This work is sometimes quoted as the last instance of a book having been 'burnt,' but apparently not quite accurately. One other instance, of somewhat later date, may be given—'The Commercial Restraints of Ireland Considered,' printed at Dublin 1779. The author of this anonymous publication was the Hon. Hely Hutchinson. It was consigned to the hangman, and is now so scarce that the late Mr. Flood, in a speech made in the House of Commons, said he would give 1,000*l.* for a copy.

In several cases the Vice-Chancellors of the two universities were required to burn books that had been condemned by authority, but one or two instances may be given in which obnoxious books were committed to the flames by the University of Oxford, without any such monition. The indignation caused by the discovery of the Rye House Plot, and the triumph for the time of the Tory party, led to many works being very summarily dealt with which denied in any way the divine right of kings. On the day on which Russell was beheaded for his supposed complicity in the plot, the University ordered the works of Buchanan, Milton, and Baxter to be burnt in the School Quadrangle.

In 1690 Arthur Bury, Rector of Exeter College, published a book called 'An historical Evidence of the naked Gospel,' in which he advocated what were considered Socinian views. The heads of houses held a meeting, and six of them were nominated a committee for examining the book. They had no difficulty in picking out passages which were pronounced to be contrary to the doctrines of the Church of England. On the 19th of August the book was burnt in the School Quadrangle. Trelawney, Bishop of Exeter, visitor of the College, suspended the author from the rectorship, but he was soon afterwards restored.

In 1693 the second volume of that most valuable work Anthony a Wood's 'Athenæ Oxonienses' was burnt in the Theatre Yard by the apparitor of the University, in pursuance of a sentence of the University Court. The charge against the biographer was that he had been guilty of a libel against the memory of the Earl of Clarendon.

Hearne's Diary, under the date October 3, 1713, will supply us with another instance:—

'There having been no Terræ filius speech, this last act, quite contrary to what the Statutes direct (occasioned by the contrivance of the Vice-Chancellor and Proctors), there hath been one since printed, in which the Vice-Chancellor and some other heads of Houses, are severely reflected on, nay ten times more severely than ever happened at the theatre or elsewhere when the Terræ Filius was allowed to speak; which hath so nettled the Vice-Chancellor and others, that on Thursday, in the afternoon, both he and other heads of Houses met in the Apodyterium, and resolved that it should be burnt. And accordingly yesterday, at two o'clock in the afternoon, there was a convocation in which the Vice-Chancellor was continued for another year, and the speech was proposed to be burnt. And accordingly the said speech was burnt, which act, however, is only generally laughed at, it being a certain sure way to publish it and make it more known.'

Here we pause; not because we have exhausted the subject, for the materials we have left unused are very extensive, but because we hope we have said enough to induce some one, with sufficient leisure and access to libraries, to give us what we say again is a great desideratum in English bibliography—an English Peignot.

Art. VII.—1. *The Descent of Man and Selection in relation to Sex.* By Charles Darwin, M.A., F.R.S. 2 vols. London: 1871.

2. *Contributions to the Theory of Natural Selection.* By A. R. Wallace. Second Edition. London: 1871.

3. *On the Genesis of Species.* By St. George Mivart, F.R.S. London: 1871.

Since the publication of the 'Origin of Species' in 1859, no book of science has excited a keener interest than Mr. Darwin's new work on the 'Descent of Man.' In the drawing-room it is competing with the last new novel, and in the study it is troubling

* History of England, vol. v. p. 175.

alike the man of science, the moralist, and the theologian. On every side it is raising a storm of mingled wrath, wonder, and admiration. In elegance of style, charm of manner, and deep knowledge of natural history, it stands almost without a rival among scientific works; and its popularity must be a keen pleasure to its author, if he be not lifted above the level of popular praise and blame, by his previous high achievements. The subject is of the very highest importance. In the 'Origin of Species,' the principles of the doctrine of natural selection were laid down, and in part had to be taken in trust because the whole of the evidence was not laid before the reader. The 'Variation under Domestication' formed the first instalment of the proof, in which Mr. Darwin showed how wonderfully plastic animals and plants become under the care of man, and how new breeds and varieties may be developed by constant selection, which he believes to be equal in classificatory rank to those ordinarily termed genera and species in nature. The present work contains the first application of the theory to a given case—the evolution of man, chosen by the author himself. As a crucial test therefore of the truth of his theory of creation, this work is of high value. But it has a higher claim on our attention than even this, for Mr. Darwin does not confine his argument to the origin of man's body from pre-existent forms; he ventures to carry it into the region of mind, and to account for man's spiritual powers by a process of natural selection from rudiments in the lower animals. It is indeed impossible to over-estimate the magnitude of the issue. If our humanity be merely the natural product of the modified faculties of brutes, most earnest-minded men will be compelled to give up those motives by which they have attempted to live noble and virtuous lives, as founded on a mistake; our moral sense will turn out to be a mere developed instinct, identical in kind with those of ants or bees; and the revelation of God to us, and the hope of a future life, pleasurable day-dreams invented for the good of society. If these views be true, a revolution in thought is imminent, which will shake society to its very foundations, by destroying the sanctity of the conscience and the religious sense; for sooner or later they must find expression in men's lives. We propose to examine the evidence on which conclusions so far reaching as these are based, first of all taking up the argument as to man's bodily descent, and then passing on to that of the origin of our intellectual and moral faculties. The question before us, is, 'can man, body and soul, be accounted for by natural selection?' In discussing this we shall have occasion to examine the differences between the various races of men, and to see how far 'sexual selection' will account for those variations which cannot be explained by the theory of 'the survival of the fittest.' We will not here anticipate the conclusion of our own argument; but we must observe at starting, that Mr. Darwin appears to us to be not more remarkable for the acuteness and ingenuity of his powers of observation of natural phenomena, than he is for the want of logical power and sound reasoning on philosophical questions.

Before we plunge into the subject, it is necessary to define what is meant by natural selection. Plants and animals in a state of nature, under favourable conditions of life, have a tendency to increase rapidly; as for example the horse, and the white clover, in Australia; but as the sum of the food in each area is a constant quantity, the number of individuals arriving at maturity must, on the whole, remain stationary. And this must lead to a struggle for existence:—

'Our own observation,' writes Mr. Wallace, 'must convince us, that birds do not go on increasing every year in a geometrical ratio, as they would do were there not some powerful check to their natural increase. Very few birds produce less than two young ones each year, while many have eight or ten; four will certainly be below the average; and if we suppose that each pair produce young only four times in their life, that will also be below the average, supposing them not to die, either by violence or want of food. Yet at this rate, how tremendous would be the increase, in a few years, from a single pair! A simple calculation will show that in fifteen years, each pair of birds would have increased to nearly two thousand millions! Whereas we have no reason to believe that the number of the birds of any country increases at all in fifteen, or in one hundred and fifty years. With such powers of increase, the population must have reached its limits, and have become stationary, in a very few years after the origin of each species. An immense number of birds must therefore perish, each year, before arriving at maturity, and these, for the most part, would be the weak, diseased, and less gifted individuals.'

Or, if we take the case of an oak forest, every tree will drop, at least, one thousand acorns annually, though till an old tree falls, not one of these can grow into an oak. Then comes in the principle of heredity, by which the parent hands down to its offspring a general likeness, and the principle of variation, by which no offspring resembles its parent in every particular. In the struggle for life, the minute variations, presented by all

living beings, would either aid or retard the organisms in which they were manifested, and would result in the survival of the fittest. Lastly the change of external conditions, which now is universal and unceasing, would give free scope for the accumulation of variations in one direction through heredity, the organic change keeping pace with that of the conditions, and the animal and plant continuing to be in perfect harmony with its environment. By the action of these complex laws, summed up under the head of Natural Selection, and by them solely, both Mr. Darwin and Mr. Wallace believe that all plants and animals have sprung from pre-existent forms, that have *gradually* diverged from one another; and they both insist, that insomuch as external circumstances change slowly, changes in life must be correspondingly slow and continuous. We do not intend to enter into the general considerations of the merits of this theory, for the false reasoning from domestic breeds to species in nature has been demonstrated by Professor Huxley,* and its inadequacy to explain the phenomena of the animal kingdom by Mr. Mivart,† but we shall confine ourselves strictly to the application of it to the 'Descent of Man.' Does the present state of man admit of explanation by this hypothesis? And if the origin of man's body can thus be accounted for, does it explain also mental and moral phenomena? If it be a law like that of gravitation, it must be a key to all the facts which it is supposed to cover.

It is universally admitted, that man, in his purely physical nature, is closely linked with the brutes. His body is subject to the same laws of reproduction, growth, decay, and death as theirs, and is built essentially on the same plan. Each muscle, nerve, blood-vessel, and bone is represented, more or less, in the bodies of the higher mammals, and especially among the anthropomorphous apes. Besides these obvious points of resemblance there are others equally striking. Man is liable to certain of the same diseases as the brutes, such as hydrophobia, variola, and glanders, a fact which 'proves the close similarity of their tissues and blood, both in minute structure and composition, far more plainly than does their comparison under the best microscope, or by the aid of the best chemical analysis.'‡ Our embryonic development also differs in no respect from that of the higher mammals, and is scarcely, if at all, distinguishable from that of the dog or the ape. It is useless for any man to shut his eyes to the full weight of this identity of structure.

The evidence afforded by rudimentary organs tends also in the same direction. The panniculus carnosus muscle, for instance, by which horses move and twitch their skin, is found in an efficient state in the human forehead and neck, while it is very generally not traceable in the other parts of the body. Some people, however have the power of moving the scalp, very much as the lower animals, and of setting in motion the muscles of the ear. This probably is an instance of the loss of an organ by disuse. The small vermiform appendage to the human cæcum is a rudiment of that which is long and convoluted in the orang and enormous in the marsupials. The small point also on the inner margin of the outer fold of the ear, which Mr. Woolner first detected when at work at his figure of Puck, is alleged to be the last lingering trace of a pointed ear, as in some of the baboons, and many other animals. Many other cases might be adduced of the same kind.

The variations also traceable in the human frame point in the direction of the lower animals. In one case, quoted by Professor Haughton, the arrangement of tendons of thumb and fingers characteristic of the macaque was fully shown in the human hand; and Mr. Wood, in a series of papers contributed to the Royal Society, has minutely described a number of muscular variations in man, which represent normal structures in the lower animals. In one male subject no less than seven such variations were observed, all of which plainly represented the muscles of certain kinds of apes. Mr. Wood considers that these variations 'must be taken to indicate some unknown factor, of much importance to a comprehensive knowledge of general and scientific anatomy.' Mr. Darwin argues, that this unknown factor is most probably the tendency to revert to a former state of existence :—

> 'It is quite incredible that a man should through mere accident abnormally resemble, in no less than seven of his muscles, certain apes, if there had been no genetic connexion between them. On the other hand, if man is descended from some ape-like creature, no valid reason can be assigned why certain muscles should not suddenly reappear after an interval of many thousand generations, in the same manner as with horses, asses, and mules, dark-coloured stripes suddenly reappear on the legs and shoulders, after an interval of hundreds, or more probably thousands, of generations.' (Vol. i. p. 129.)

Hence it is contended that the identity of

* Lay Sermons, p. 280.
† Genesis of Species.
‡ Darwin's 'Descent of Man,' vol. i. p. 11.

the structure of man's body with that of the brutes cannot be accounted for by the ordinary doctrine of special creation, or the creation of species directly and immediately out of nothing, which is itself hedged in with insuperable difficulties in general application. It does not explain the variations in the direction of the lower animals, nor the rudimentary organs, nor the embryological development. Nor does it afford any clue to the law of geological succession. It does not tell us why the existing group of marsupials in Australia should have been represented in the quaternary age by allied species in that region; or why the armadillos and sloths of South America should find their nearest allies in those species which immediately preceded them in that area; or why, in the Old World, the Asiatic elephant should be so closely allied to the mammoth. It moreover implies a corresponding annihilation of the pre-existent species. This doctrine, invented before the birth of physical sciences, has long ago been given up by many theologians, and by all biologists, who could not fail to see the bond of union which unites all living bodies together. Professor Owen, no less than Professor Huxley, does not hesitate to ascribe the identity running through the animal kingdom to the continual operation of natural laws:—'I have been led,' he writes, 'to recognise species as exemplifying the continuous operation of natural law, or secondary cause; and that, not only successively, but progressively, from the first embodiment of the vertebrate idea under its old Ichthyic vestment until it became arrayed in the glorious garb of the human form.'* But no two anatomists are agreed as to the exact mode in which these secondary laws produce different forms. And this doctrine of evolution, by which man is supposed to have sprung from an antecedent form, differs merely in name from secondary or derivative creation; although many writers believe that it is antagonistic. It merely attempts to give *some* of the causes which probably brought about the change—such as variation, heredity, change of conditions, and the other factors, which together make up what Mr. Darwin terms natural selection; but it does not attempt to show all. It is very generally taken to be identical with the natural selection theory; but it really differs in the important point that the latter professes to explain all the phenomena of life by the action of the causes which it enumerates, ignoring completely the possible co-operation of other factors of change. This essential difference is worthy of careful attention; for if the one theory is consistent with the phenomena of the material world, and does not clash with what we know of the world of mind, the other and narrower theory is, in our belief, inconsistent with the facts of both.

This doctrine of evolution is strangely exaggerated, both by its opponents and supporters, being looked upon by the one as destroying the foundations of their religious belief, and by the other as an overwhelming argument in favour of materialism. We cannot see that it has the least bearing in one way or the other. That man was brought into being by the operation of a secondary law, need not alarm the most timid theologian, and the validity of the direct argument, from the physical to the mental, cannot be admitted. As Mr. Mivart very justly remarks, 'Derivative creation is not a supernatural act, but is simply the Divine action by and through natural laws. To recognise such action in such laws is a religious mode of regarding phenomena, which a consistent theist must necessarily accept, and which an atheistic believer must similarly reject. But this conception, if deemed superfluous by any naturalist, can never be shown to be *false* by any investigations concerning natural laws, the constant action of which it presupposes.'* Evolution pure and simple does not touch in the least degree the province of religion. It leaves the origin of life as great a mystery and wonder as ever, and presents a nobler view of the great Creator, who endowed living forms with such wondrous capacities, and made them subject to laws of being, which may include variations, just as they include reproduction by natural causes. It deals solely with the working of these laws, which we have been able to detect by our limited insight into nature; and it cannot explain the phenomena without the will of a directing Intelligence. The naturalist who fancies that he can trace the order of the universe to the combinations of a series of accidents or who can explain all phenomena by the working of some principle which he has lighted upon, must have a very high opinion of his own powers of analysis; and the materialist who thinks that there is no necessity for a God in the world, is merely asserting what he cannot prove. The *onus probandi* rests with them; and until they can explain the phenomena by the working of their own principles, few will be inclined to trust in a mere negative philosophy, unsupported by evidence.

The doctrine of evolution may be the only

* Anatomy of Vertebrates, vol. iii. p. 796.

* Genesis of Species, p. 262.

reasonable explanation of the differences and resemblances of plants and animals, and of their distribution in space and time. But nevertheless, it must be admitted that its truth is as yet very far from being proved. It may be a provisional hypothesis, destined to yield place at the discovery of a higher law. But we are confident that evolution brought about solely by means of natural selection, according to the views of Mr. Darwin, is capable of being disproved in the very case which he has chosen as a test of his theory, and which Mr. Wallace, co-founder of the theory, has expressly excepted from the action of what he believes to be a law to the rest of the organic world.

Man, when compared with the higher apes, presents bodily differences which are of very small value in classification. Professor Huxley admits the following as the only characters of importance, in separating the sub-order anthropidæ from the apes and lemurs:—the even and uninterrupted series of teeth, which present no break with the exception of the canines; the length of the great toe, which is nearly as long as the second; and the modifications in his structure consequent upon the habitual attitude of standing erect. The great size and complexity of brain, on which Professor Owen founds his class Archencephala, is valueless in classification, because the variations in these respects exhibited by the quadrumana are greater than those presented by man on the one hand, and the quadrumana on the other. It is extremely probable that the non-development of the canines is owing to their gradual disuse as weapons, while the modifications in the skeleton have a definite relation to the erect carriage of man. Mr. Darwin therefore argues with considerable force, that even the small importance attached by Professor Huxley to these differences is too great, and that man ought to form merely a family or sub-family.

Nevertheless, it does not follow that man has been evolved from the higher apes through natural selection, although he were genetically descended from them. Professor Huxley has called attention to the important difference between artificial races and breeds on the one hand, and natural species on the other—the one being fertile and the other infertile. This destroys the validity of the argument that because the one is the result of small variations selected by man, the other is the result of small variations selected by nature. There is also a fatal objection to a theory which presupposes that specific change has been brought about by minute variations gradually accumulated, and transmitted from parent to offspring. In the well-known cases of the six-fingered Kelleia family, and of the bandy-legged breed of Ancon sheep in Massachusetts, an organic change of great magnitude suddenly appeared and was transmitted to the offspring. If these varieties may be produced *per saltum* by some unknown cause, and certainly not by natural selection, why should not species be also formed in the same way? The few cases of this kind on record altogether destroy the force of Mr. Darwin's argument. It is for him to show cause why man should not have been produced suddenly from a quadrumanous ancestor, and to bring forward proof that he was merely the result of the slow accumulation of certain favourable varieties *in the human direction*. Mr. Darwin's view professes to be based on *a posteriori* grounds. Can he show that one natural species has ever been gradually evolved by natural selection? To answer that animals have not been observed with sufficient care, or for a sufficient length of time, is merely a mode of confessing ignorance; and to quote variations under domestication is to beg the question whether artificial varieties are of the same value as natural species. So far as our experience tells us anything, it distinctly shows that artificial varieties are *not* equivalent to species in nature. The points of difference between man and the apes, which are of value from the natural history point of view, may have been brought about in part by natural selection; but Mr. Darwin has not brought forward evidence to prove that it was the sole cause.

There are, however, certain human organs which can be proved not to be capable of production on the Darwinian hypothesis, for they are adapted to a state of things far removed from all the habits and requirements of savage life; they are framed, not for his present, but for his future condition as a civilised being. The human brain is claimed by Mr. Wallace as an exception to the general law. The average cranial capacity, according to Drs. Davis and Moreton, is in the Teutonic family 94 cubic inches; in the Esquimaux 91; in the Negroes 85; in Australian 80·9; in Asiatics 87·1; and 77 in the Bushmen. In this respect, therefore, there is not much difference between civilised and savage man. It is evident that size of brain stands in direct relation to high intellectual powers, since Cuvier, Goethe, and Napoleon, and other great intellects, have been possessed of large brains; while if the adult European possess a skull of less than 65 cubic inches of brain, he is invariably idiotic. If we proceed to compare the human with the quadrumanous brain,

we find that the maximum size of the latter is reached in the gorilla, which contains only 34½ cubic inches, although it is a creature far above the average size of man :—

'We have seen,' Mr. Wallace proceeds to argue, 'that the average cranial capacity of the lowest savages is probably not less than *five-sixths* of that of the highest civilised races, while the brain of the anthropoid apes scarcely amounts to *one-third* of that of man, in both cases taking the average; or the proportions may be more clearly represented by the following figures—anthropoid apes 10; savages 26; civilised man 32. But do these figures at all approximately represent the relative intellect of the three groups? Is the savage really no further removed from the philosopher, and so much removed from the ape, as these figures would indicate? In considering this question, we must not forget, that the heads of savages vary in size, almost as much as those of civilised Europeans. Thus, while the largest Teutonic skull in Dr. Davis' collection is 112·4 cubic inches, there is an American of 115·5, an Esquimaux of 113·1, a Marquesan of 110·6, a Negro of 105·8, and even an Australian of 104·5, cubic inches. We may therefore fairly compare the savage with the highest European on one side, and with the ourang, chimpanze or gorilla, on the other, and see whether there is any relative proportion between brain and intellect.'*

The range of intellectual power in man is enormous. No one could compare a senior wrangler with a savage incapable of counting beyond four, without realising the enormous chasm between them, and yet that chasm is not represented in a relative size of brain, and cannot be weighed, or measured, or detected by the most delicate analysis. The engine of thought in the savage is not very much inferior to that in the wrangler, and merely requires the motive power of circumstances to set it to work. Are then the conditions of savage life such as would be likely to evolve such an engine as this by natural selection?

'Such races as the Andaman Islanders, the Australians, and the Tasmanians, the Digger Indians of North America, or the natives of Fuegia, pass their lives so as to require the exercise of few faculties not possessed in an equal degree by many animals. In the mode of capture of game or fish, they by no means surpass the ingenuity or forethought of the jaguar, who drops saliva into the water, and seizes the fish as they come to eat it; or of wolves and jackals, who hunt in packs; or of the fox who buries his surplus food till he requires it. The sentinels placed by antelopes and by monkeys, and the various modes of building adopted by field-mice and beavers, as well as the sleeping-place of the ourangutan, and the tree-shelter of some of the African anthropoid apes, may well be compared with the amount of care and forethought bestowed by many savages in similar circumstances. His possession of free and perfect hands, not required for locomotion, enable man to form and use weapons and implements which are beyond the physical power of brutes; but having done this, he certainly does not exhibit more mind in using them than do many lower animals. What is there in the life of the savage, but the satisfying of the cravings of appetite in the simplest and easiest way? What thoughts, ideas, or actions are there, that raise him many grades above the elephant or the ape? Yet he possesses, as we have seen, a brain vastly superior to theirs in size and complexity; and this brain gives him, in an undeveloped state, faculties which he never requires to use.' (*Wallace*, p. 342.)

It is clear, therefore, that the brain of savage man is far beyond his needs. How can it be accounted for by the principle of natural selection, or by the accumulation of small variations good for the individual? Its large size cannot be traced to circumstances of life, because it is quite disproportionate to the actual requirement; and even if once originated, ought, according to Mr. Darwin's theory, to have been lost by disuse. For if natural selection tends in some instances to raise a race of beings, it might tend in others to lower it; to a savage the organs and instincts of an animal might be more useful than the latent brain power of a sage. Mr. Darwin's answer to this, that man owes his immense superiority of brain to the invention of fire, and of weapons and implements, resulting directly from the development of his powers of observation, memory, curiosity, imagination, and reason, is not to the point, even if he can prove that these again are the result of natural selection. Mr. Wallace's objection is that the size of the brain over and above the savage needs, cannot be accounted for by their struggle for life, and that a steady slow increase of brain matter useless to the individual in the life-battle would be impossible. The accumulation of minute differences *not* demanded by the circumstances of life, is contrary to the very first principles of the Natural Selection theory. In this case there must be some other principle at work. And if we do not admit that latent capacities in the savage brain were implanted for use at some time in the distant future, we can only say that they are the result of a force which we do not know, and of a law which we have not grasped. We have but the alternative either to ascribe them to the operation of an Almighty Will, or simply to confess our total ignorance.

Neither can the structure of the larynx,

* Contributions to Theory of Natural Selection, p. 338.

or the delicate adjustment of parts by which it acquires such marvellous powers, be accounted for by the Natural Selection principle, because the faculty of song is not the least use to man in a state of savagery.

'With man (writes Mr. Darwin) song is generally admitted to be the basis or origin of instrumental music. As neither the enjoyment or capacity of producing musical notes are faculties of the least direct use to man in reference to his ordinary habits of life, they must be ranked among the most mysterious with which he is endowed. They are present, though in a very rude and, as it appears, almost latent condition, in men of all races, even the most savage; but so different is the taste of the different races, that our music gives not the least pleasure to savages, and their music is to us hideous and unmeaning. The musical faculties which are not wholly deficient in any race, are capable of prompt and high development, as we see with Hottentots and negroes, who have readily become excellent musicians, although they do not practise in their native countries anything that we should esteem as music. But there is nothing anomalous in this circumstance; some species of birds which never naturally sing can without much difficulty be taught to perform; thus the house-sparrow has learnt the song of the linnet. As these two species are closely allied, and belong to the order of Insessores, which includes nearly all the singing birds in the world, it is quite possible or probable that a progenitor of the sparrow may have been a songster. It is a much more remarkable fact that parrots, which belong to a group distinct from the Insessores, and have differently-constructed vocal organs, can be taught not only to speak, but to pipe or whistle tunes invented by man, so that they must have some musical capacity. Nevertheless it would be extremely rash to assume that parrots are descended from some ancient progenitor which was a songster. Many analogous cases could be advanced of organs and instincts originally adapted for one purpose, having been utilised for some quite distinct purpose. Hence the capacity for high musical development, which the savage races of man possess, may be due either to our semi-human progenitors having practised some rude form of music, or simply to their having acquired for some distinct purposes the proper vocal organs. But in this latter case we must assume that they already possessed, as in the above instance of the parrots, and as seems to occur with many animals, some sense of melody.' (Vol. ii. pp. 333, 334.)

Mr. Darwin does not face the difficulty offered by the problem to his theory. Even if it be granted that the song of the linnet and the chirping of the house-sparrow be derived ultimately from what he terms 'sexual selection,' the latent capacity in the sparrow of learning the song of the linnet, is a difficulty which cannot be overcome. For how could it have originated by the gradual accumulation of small variations, seeing that it is seldom or never exercised in a state of nature? The comparison of the musical powers of sparrows with those of Hottentots is hardly fair, since the sparrow merely imitates the linnet mechanically, while the Hottentots and Negroes strike out melodies of their own, which are not mere copies of the music of the higher civilisation. Nor is it any explanation to say that the musical capacity of savages may be due to the rude practice of music by their ancestry, for in that case, to apply Mr. Darwin's own principles, it would have been lost through long disuse. Mr. Wallace admits (p. 350) that it is one of those things which cannot be accounted for by the principle which he advocates:—

'The habits of savages give no indication of how this faculty could have been developed by natural selection; because it is never acquired or used by them. The singing of savages is a more or less monotonous howling, and the females seldom sing at all. Savages certainly never choose their wives for fine voices, but for rude health, and strength, and physical beauty. Sexual selection could not therefore have developed this wonderful power which only comes into play among civilised people. It seems as if the organ had been prepared in anticipation of the future progress of man, since it contains latent capacities which are useless to him in his earlier condition. The delicate correlations of structure that give it such marvellous powers could not therefore have been acquired by means of natural selection.'

Without calling in the aid of teleology, or some law now unknown, the capacities of the human larynx are incapable of explanation. The mode of formation of the ear and eye in man and the higher animals, also afford a crushing argument against Mr. Darwin:—

'The eye (writes Mr. Mivart *) is formed by a simultaneous and corresponding ingrowth of one part and outgrowth of another. The skin in front of the future eye becomes depressed, the depression increases and assumes the form of a sac, which changes into the aqueous humour and lens. An outgrowth of brain substance, on the other hand, forms the retina, while a third process is a lateral ingrowth of connective tissue, which afterwards changes into the vitreous humour of the eye. The internal ear is formed by an involution of the integument, and not by an outgrowth of the brain. But tissue in connexion with it, becomes in part changed, thus forming the auditory nerve, which places the tegumentary sac in direct communication with the brain itself.'

* Genesis of Species, p. 51.

These complex and simultaneous co-ordinations could not have been produced by small beginnings, since they are useless until the requisite junctions are effected. In this case without definite purpose, it is hard to believe how the simultaneous changes in one direction could be effected, and it is incredible that they should have been brought about by a combination of chances. Mr. Murphy has very ably treated the difficulties offered by the eye to the Darwinian hypothesis in his work on 'Habit and Intelligence.' On this, and similar points of the subject, we willingly contrast the loose and inconclusive conjectures of Mr. Darwin, with the exquisite force and skill with which the adaptation of the various parts of the human frame to their appropriate objects, was demonstrated by Sir Charles Bell in his 'Treatise on the Hand.'

The doctrine of Natural Selection is therefore hopelessly inadequate to the explanation of the phenomena offered by man's body; but its truth or falsehood have no necessary connexion with the theory of evolution. The results of the study of embryology and physiology point to the descent of man from the lower animals, not by natural selection, but by the working of a law which has not yet been revealed by the scalpel. If the brain, the ear, the eye, and the larynx in the lowest savage, be not ordered for the achievement of the highest ends of civilisation, if they be not talents intrusted to the human race, they cannot be accounted for in any other way. Natural selection has doubtless exerted great influence in modifying form, but it has not yet been proved in any one case of being capable of turning varieties into species, or of originating a new organ or capacity. There must therefore be some principle at work which is not natural selection, some force which has eluded the grasp of the naturalist.

Still less can the theory be said to explain the phenomena of mind. We owe indeed to Mr. Darwin some gratitude for his attempt to explain the origin of the intellectual faculties by a purely materialistic argument, since his failure is that of one of the greatest natural philosophers who has ever attempted to approach this most difficult problem. His point of view is one peculiarly his own, as he takes merely the aspect offered by natural history. It might indeed occur to some that this method of dealing with the subject would be about as likely to result in the discovery of truth as that of a chemist who should approach the deepest and most abstruse phenomena presented by physiology by means of analysis, without taking into account the vital processes which transcend his skill. Such an investigation would obviously lead to an erroneous conclusion. Mr. Darwin, before he can fairly argue from matter to mind, must prove that they are both the same in kind, which is manifestly impossible. We do not intend to enter into the metaphysical relation of one to the other, but we shall examine what Mr. Darwin has to say in favour of his views, which, if true, will revolutionise philosophy and profoundly affect society. If our intellect and moral sense be mere developments of certain elements in the lower animals by natural selection, man is merely a superior sort of brute, the great Ruler of the world a mere shadow of ourselves projected by our imagination, and our morality a mere instinct of the same order as that which rules the actions of the worker-bee. Mr. Darwin states that his argument does not touch the question of the existence of a God, but it completely destroys the objective value of any idea which we can form of Him, and this practically amounts to the same thing. A full discussion of these momentous questions is beyond the limits of a review. We can only analyse the evidence which it brings forward in favour of such far-reaching conclusions.

Mr. Darwin, after having enumerated the bodily links which connect man with brute, proceeds to the inquiry whether his mental attributes are not in like manner descended, and to see whether there be any fundamental difference between them in man and the higher animals. At the very outset he makes an admission which destroys the basis of his future argument.

'Such variations appear to arise from the same unknown causes acting on the cerebral organisation, which induce slight variations or individual differences in other parts of the body; and these variations, owing to our ignorance, are often said to arise spontaneously. We can, I think, come to no other conclusion with respect to the origin of the more complex instincts, when we reflect on the marvellous instincts of sterile worker-ants and bees, which leave no offspring to inherit the effects of experience and modified habits.

'Although a high degree of intelligence is certainly compatible with the existence of complex instincts, as we see in the insects just named and in the beaver, it is not improbable that they may to a certain extent interfere with each other's development. Little is known about the functions of the brain, but we can perceive that as the intellectual powers become highly developed, the various parts of the brain must be connected by the most intricate channels of intercommunication; and as a consequence each separate part would perhaps tend to become less well-fitted to answer in a defined and uniform, that is instinctive, manner to particular sensations or associations.

'I have thought this digression worth giving, because we may easily underrate the mental powers of the higher animals, and especially of man, when we compare their actions founded on the memory of past events, on foresight, reason and imagination, with exactly similar actions instinctively performed by the lower animals; in this latter case the capacity of performing such actions having been gained, step by step, through the variability of the mental organs and natural selection, without any conscious intelligence on the part of the animal during each successive generation. No doubt, as Mr. Wallace has argued, much of the intelligent work done by man, is due to imitation and not to reason; but there is this great difference between his actions and many of those performed by the lower animals, namely, that man cannot on his first trial, make, for instance, a stone hatchet or a canoe, through his power of imitation. He has to learn his work by practice; a beaver, on the other hand, can make its dam or canal, and a bird its nest, as well, or nearly as well, the first time it tries, as when old and experienced.' (Vol. i. p. 38.)

If 'unknown causes' bring about simple variations, what right has Mr. Darwin to attribute them to the operation of natural selection? To attribute an effect to an unknown cause, is merely a mode of confessing ignorance. Mr. Darwin in this passage has stated an argument against the truth of his views with great fairness. If we cannot be sure in the comparison of the actions performed by the lower animals with similar actions performed by the mental powers of man, that the same mode of reasoning is employed in each, we are liable to great error in interpreting their actions by our own motives. If I interpret the mental processes of a beaver by my own standard, I am guilty of an anthropomorphism quite as great as that which the materialists lay to the account of theologians, and I can be proved to be in error by an appeal to facts. Does the spider know mechanics, or is the bee acquainted with geometry, because *we* could not bring about the same results without a knowledge of these sciences? When Mr. Darwin admits that he does not know how variations are brought about, he forsakes the very key of his position, and when he further allows that similar actions in brutes may be attributed to dissimilar causes, he invalidates his own reasoning from our actions to those of the brutes.

The lower animals, like man, feel pleasure and pain, happiness and misery, and are possessed of the same emotions of terror, suspicion, love, and revenge. The more complex emotions also are common property; a dog is jealous of his master's affection if lavished on any other creature, which proves that he not only loves, but has the desire to be loved. Animals love praise, and in the case of dogs and horses feel emulation. The hunter and the hound enjoy the sport almost equally with their master. 'There can be no doubt,' writes Mr. Darwin, 'that a dog feels shame as distinct from fear, and something very like modesty when begging too often for food. A great dog scorns the snarling of a little dog, and this may be called magnanimity. Several observers have stated that monkeys certainly disliked being laughed at, and they sometimes invent imaginary offences. In the Zoological Gardens I saw a baboon who always got into a furious rage when its keeper took out a letter or book and read it aloud to him, and his rage was so violent that, as I witnessed on one occasion, he bit his own legs until the blood flowed.' All animals feel wonder, and many exhibit curiosity, the latter quality affording opportunity for hunters, in many parts of the world, to decoy the game into their power. The faculty of imitation, so strongly developed in man, especially in a barbarous state, is present in monkeys. A certain bull-terrier of our acquaintance, when he wishes to go out of the room, jumps at the handle of the door and grasps it with his paws, although he cannot himself turn the handle. Parrots also reproduce with wonderful fidelity the tones of voice of different speakers, and puppies reared by cats have been known to lick their feet and wash their faces after the same manner as their foster-mothers. Attention and memory also are present in the lower animals, and it is impossible to deny that the dreams of dogs and horses show the presence of imagination, or that a certain sort of reason is not also present. Animals also profit by experience, as any man realises who sets traps. The young are much more easily caught than the old, and the adults gain caution by seeing the fate of those which are caught. Tools are also used by some of the higher apes. The chimpanzee uses a stone to crack a nut resembling a walnut, and the Abyssinian baboons (C. gelada) fight troops of another species (C. hamadryas), and roll down stones in the attack before they finally close in a hand-to-hand encounter. The idea of property is common also to every dog with a bone, to all birds with their nests, and notably in the case of rooks. Nor can a certain kind of language be denied to the brutes. The dog communicates his feelings by barks of different tones, which undoubtedly raise in his fellow dogs ideas similar to those passing in his own mind. It is universally allowed that in all these particulars the mental constitution of man strongly resembles that of the higher animals. But here we part company with Mr. Darwin.

Articulate speech, Mr. Darwin allows, is peculiar to man. Not the mere power of articulation, for parrots can talk, but the large power of connecting definite sounds with definite ideas, which depends on the development of the mental faculties. Mr. Darwin, p. 54, places the intellectual powers as the cause, and articulate speech as the effect. The latter he derives, a few pages further on, directly from the cries and sounds of animals.

'I cannot doubt that language owes its origin to the imitation and modification, aided by signs and gestures, of various natural sounds, the voices of other animals, and man's instinctive cries. When we treat of sexual selection we shall see that primeval man, or rather some early progenitor of man, probably used his voice largely, as does one of the gibbon-apes at the present day, in producing true musical cadences, that is in singing; we may conclude from a widely-spread analogy that this power would have been especially exerted during the courtship of the sexes, serving to express various emotions, as love, jealousy, triumph, and serving as a challenge to their rivals. The imitation by articulate sounds of musical cries might have given rise to words expressive of various complex emotions. As bearing on the subject of imitation, the strong tendency in our nearest allies, the monkeys, in microcephalous idiots, and in the barbarous races of mankind, to imitate whatever they hear, deserves notice. As monkeys certainly understand much that is said to them by man, and as in a state of nature they utter signal-cries of danger to their fellows, it does not appear altogether incredible, that some unusually wise ape-like animal should have thought of imitating the growl of a beast of prey, so as to indicate to his fellow monkeys the nature of the expected danger. And this would have been a first step in the formation of a language.' (Vol. i. p. 56.)

We ask for the evidence that at the present day any unusually wise ape has ever been known to imitate the cry of a wild beast, so as to indicate its presence to its fellows? Why also, if the first stage of articulate development began in musical cadences, by which the chords of the voice were strengthened and gradually perfected, and if the second consisted in the imitation of other sounds, have not the birds evolved for themselves an articulate language, seeing that they exercise their voices at least as much as any of the higher animals? The American mocking-bird imitates the cries of other birds, and has exercised its vocal chords acquired on the hypothesis during courtship. Why does it not speak? This mode of accounting for human speech covers too wide a field. If it be true in the case of man, why is it not equally true in the case of birds? The answer that their intellect is not sufficiently highly developed, merely refers the difficulty back to the cause by which the intellectual difference is brought about. And this Mr. Darwin, as we shall presently see, believes to have been caused in great part by articulate speech. Mr. Darwin can hardly mean, in the passage just quoted, that monkeys understand very much that is said to them by man, in any other sense than a dog may be said to understand, that is to say, the gestures, the tone of voice, and the expression of the countenance, not that they can grasp the meaning of any abstract term. A broken chain of loosely stated facts such as this cannot prove anything.

The second stage in the évolution of language is that in which the vocal organs were strengthened and perfected by the inherited effects of use, and this would react on the power of speech. 'But,' Mr. Darwin goes on to say, 'the relation between the continued use of language and the development of the brain has no doubt been far more important. The mental powers in some early progenitor of man must have been more highly developed than in any existing ape, before even the most imperfect form of speech could have come into use; but we may confidently believe that the continued use and advancement of this power would have reacted on the mind by enabling and encouraging it to carry on long trains of thought. A long and complex train of thought can no more be carried on without the aid of words whether spoken or silent, than a long calculation without the use of figures or algebra.' Articulate speech undoubtedly stands in the closest relation to the development of mental powers. Mr. Darwin indeed admits that, 'the fact of the higher apes not using their vocal organs for speech no doubt depends on their intelligence not having been sufficiently advanced. The possession by them of organs, which, with long-continued practice, might have been used for speech, although not thus used, is paralleled by the case of many birds which possess organs fitted for singing though they never sing.' How then is the origin of intelligence accounted for? Mr. Darwin states that it is merely the development by natural selection of those emotions and faculties which exist in the lower animals, such as love, memory, curiosity, imitation, and the like, by the gradual accumulation of variations through the principles of inheritance. But if this be true, why have not these faculties, so widely spread in the lower animals, borne fruit in a corresponding cerebral development? If all the essentials of our intelligence exist in the lower animals, why have they not produced something approaching to our

intellect in some one of the innumerable forms of life? The fact that they have not done so renders the theory very improbable.

Articulate speech stands undoubtedly in direct relation to intellectual faculty, and that again to the large size of the brain in man, which, as we have seen, cannot be accounted for by natural selection. Whether or no language sprang originally from the imitation of the noises of nature—and for the arguments for and against, we would refer to the works of Max Müller, Lubbock, and Tylor—Mr. Darwin has not adduced one shred of proof that it is merely descended in an unbroken line from the cries of animals. Man's intellect would however use those emotional and interjectional sounds which are merely the physical expression of its wants and which, like the body, are links connecting man with the lower animals. After language was once originated a struggle for life would at once begin, as Max Müller remarks, in which the most favoured words and forms would survive the less favoured. And thus, although Mr. Darwin's principle cannot account for the origin of language, which we agree with Max Müller in considering beyond the powers of our analysis, it accounts to a great extent for the differences in dialects and forms of speech.

But if Mr. Darwin's explanation of language be unsatisfactory, still more so is his theory of the derivation of those intellectual faculties which are undoubtedly peculiar to mankind, such as self-consciousness, abstraction, and the power of forming general ideas. If he can show that they are descended from certain rudiments in the lower animals, it must be admitted that our intellect is the same in kind with what passes for intellect in the brutes. He does not even venture to discuss them, for the very singular reason that writers have given them different definitions:—

'It would be useless (he writes) to attempt discussing these high faculties, which, according to several recent writers, make the sole and complete distinction between man and the brutes, for hardly two authors agree in their definitions. Such faculties could not have been fully developed in man until his mental powers had advanced to a high standard, and this implies the use of a perfect language. No one supposes that one of the lower animals reflects whence he comes or whither he goes—what is death or what is life, and so forth. But can we feel sure that an old dog with an excellent memory and some power of imagination, as shown by his dreams, never reflects on his past pleasures in the chase? And this would be a form of self-consciousness. On the other hand, as Büchner has remarked, how little can the hard-worked wife of a degraded Australian savage, who uses hardly any abstract words and cannot count above four, exert her self-consciousness, or reflect on the nature of her own existence.'

It is certainly very prudent in Mr. Darwin to pass over those points which afford insuperable obstacles to his theory of natural selection as applied to mind; but their omission destroys the value of the argument. We cannot of course prove the negative that dogs have no self-consciousness, but the *onus probandi*, that they have, rests with Mr. Darwin. An appeal to the Australian savage will hardly help to bridge over the mental difference between men and animals, for although in a state of nature he does not exert his mental faculties, they are brought out by education. How this latent capacity was acquired, and why it is not lost by disuse in a state of nature, are questions which cannot be answered by an appeal to natural selection.

We hold, therefore, that Mr. Darwin has signally failed in advancing proof, that either articulate language, or the higher faculties of the human mind, have been evolved by any known law from the cries or mental attributes of animals. Whatever kinship man may have with the brutes in bodily structure, and in some of the senses and faculties, these form a barrier between man and the brute, which cannot be accounted for in the present state of our knowledge, and which are wholly inexplicable on the Darwinian theory.

The universal belief in the supernatural is held by Mr. Darwin to be the result of the development of the intellectual faculties:—

'Nor is it difficult to comprehend how it arose. As soon as the important faculties of the imagination, wonder and curiosity, together with some power of reasoning, had become partially developed, man would naturally have craved to understand what was passing around him, and have vaguely speculated on his own existence. . . . The belief in spiritual agencies would soon pass into the belief in the existence of one or more gods. For savages would naturally attribute to spirits the same passions, and the same love of vengeance, or simplest form of justice, and the same affections which they themselves experienced. . . . The feeling of religious devotion is a highly complex one, consisting of love, complete submission to an exalted and mysterious superior, a strong sense of dependence, fear, reverence, gratitude, hope for the future, and perhaps other elements. No being could experience so complex an emotion until advanced in his intellectual and moral faculties, to at least a moderately high level. Nevertheless we see some distant approach to this state of mind in the deep love of a dog for his master, associated with complete submission, some fear, and perhaps other feelings. The behaviour of a dog when returning to his

master after an absence, and, as I may add, of a monkey to his beloved keeper, is widely different from that towards their fellows. In the latter case, the transports of joy appear to be somewhat less, and the sense of equality is shown in every action.'

The comparison of the feeling of religious devotion in man, with the emotions of dogs and monkeys, would be unworthy of notice had it been made by any man less distinguished than Mr. Darwin. A belief in the supernatural is present in the one; can Mr. Darwin show that it is present in the other? The comparison of unlike things very often leads him into error. He compares, for instance, the belief of savages that natural objects are animated by living essences, with the barking of a 'very sensible' dog at a parasol moved by the wind on a lawn, 'which must have reasoned to himself in a rapid and unconscious manner, that movement without any apparent cause indicated the presence of some strange living agent, and that no stranger had a right to be on his territory.' What right has he to attribute to the lower animals human motives? To reason from man to dog is as absurd as from dog to man.

Mr. Darwin deals with religion as summarily as he has dealt with the higher faculties of the human mind:—

'The same high mental faculties which first led man to believe in unseen spiritual agencies, then in fetishism, polytheism, and ultimately in monotheism, would infallibly lead him, as long as his reasoning powers remained poorly developed, to various strange and superstitious customs. Many of these are terrible to think of—such as the sacrificing of human beings to a blood-loving god; the trial of innocent persons by the ordeal of poison or fire, witchcraft, &c. Yet it is well occasionally to reflect on these superstitions, for they show us what an infinite debt of gratitude we owe to the improvement of our reason, to science, and our accumulated knowledge. As Sir J. Lubbock has well observed, "It is not too much to say that the horrible dread of unknown evil hangs like a thick cloud over savage life, and embitters every pleasure." These miserable and indirect consequences of our highest faculties may be compared with the incidental and occasional mistakes of the instincts of the lower animals.' (Vol. i. p. 68.)

So far as we can gather the meaning of this remarkable passage, our idea of a God is a mere reflection of ourselves, without objective reality, the inevitable result of the activity of our minds. The passage, as it stands, presents difficulties greater than those which it seeks to explain. How can we feel grateful 'to the improvement of our reason, to science, and accumulated knowledge,' to a mere abstraction, instead of a personal being? By what standard of right and wrong are the instincts of the lower animals to be judged? Is it possible for an instinct to be a mistake, and yet to be at the same time the result of the accumulation of variations good to the individual by natural selection? If that theory be true a mistake would be impossible. Mr. Darwin in this case also has not advanced any proof that we worship a God which is a mere expression of our own high mental activity, and not the cause of it. He has merely involved himself in a maze of difficulties and contradictions. The question of the existence of a God who may be revealed to us need not be discussed, because it is not affected in the least degree by this argument. The lowest savage who worships a block of wood or stone does in fact express a sublime conception under a gross material form; but that single act of *worship*, even misapplied, severs him by an infinite chasm from the whole brute creation, which has, as far as we know, no conception of spiritual power.

We must now pass on to the view which Mr. Darwin takes of the origin of our moral sense; the noblest attribute of our being, summed up in the short, but imperious word, *ought*, so full of high significance. He approaches this most difficult problem partly because it is a stumbling-block in the way of the theory of natural selection, and partly because no one has examined it exclusively from the side of natural history:—

'The following proposition seems to me in a high degree probable—namely, that any animal whatever, endowed with well-marked social instincts, would inevitably acquire a moral sense or conscience, as soon as its intellectual powers had become as well developed, or nearly as well developed, as in man. For, *firstly*, the social instincts lead an animal to take pleasure in the society of its fellows, to feel a certain amount of sympathy with them, and to perform various services for them. The services may be of a definite and evident instinctive nature, or there may be only a wish and readiness, as with most of the higher social animals, to aid their fellows in certain general ways. But these feelings and services are by no means extended to all the individuals of the same species, only to those of the same association. *Secondly*, as soon as the mental faculties had become highly developed, images of all past actions and motives would be incessantly passing through the brain of each individual; and that feeling of dissatisfaction which invariably results, as we shall hereafter see, from any unsatisfied instinct, would arise as often as it was perceived that the enduring and always present social instinct has yielded to some other instinct, at the time stronger, but neither enduring in its nature, nor leaving behind it a very vivid impression. It is clear that many instinctive desires, such as that of hunger, are in their nature of short duration; and after being satisfied are

not readily or vividly recalled. *Thirdly*, after the power of language had been acquired, and the wishes of the members of the same community could be distinctly expressed, the common opinion how each member ought to act for the public good would naturally become to a large extent the guide to action. But the social instincts would still give the impulse to act for the good of the community, this impulse being strengthened, directed, and sometimes even deflected by public opinion, the power of which rests, as we shall presently see, on instinctive sympathy. *Lastly*, habit in the individual would ultimately play a very important part in guiding the conduct of each member; for the social instincts and impulses, like all other instincts, would be greatly strengthened by habit, as would obedience to the wishes and judgment of the community.' (Vol. i. pp. 71, 72.)

This view of morals, like that of religion, is fundamentally based upon the gradual intellectual development of mankind. The very first proposition that any animal endowed with well-marked social instincts would have a conscience, is a mere crude hypothesis, incapable of being put to any test. It is, so far as our experience goes, an impossible case. Mr. Darwin takes care that its meaning may not be overlooked. If men were reared, he says, under the same conditions as hive-bees, there can hardly be a doubt that our unmarried females would, like the worker-bees, think it a sacred duty to kill their brothers, and mothers would strive to kill their fertile daughters; and no one would think of interfering.' They would indeed so act from a strict sense of duty, comparable to that which leads us very frequently to sacrifice ourselves for the good of others. The sense of right and wrong, according to this view, is no definite quality, but merely the result of the working together of a series of accidents controlled by natural selection for the general good. We need hardly point out that if this doctrine were to become popular, the constitution of society would be destroyed; for if there be no objective right and wrong, why should we follow one instinct more than the other, excepting so far as it is of direct use to ourselves?

The three stages by which Mr. Darwin derives our moral sense from certain rudiments in the lower animals, are worthy of careful analysis. Many animals are social, act in concert, and mutually defend each other, and the impulse which leads them to herd together may be of the same kind as that by which human communities are formed. It is probable, Mr. Darwin writes, using strange language for a materialistic philosopher, that the senses of discomfort when alone, and of pleasure when in company, 'were first developed in order that those animals which would profit by living in society should be induced to live together. In the same manner as the sense of hunger and the pleasure of eating were no doubt first acquired in order to induce animals to eat. The feeling of pleasure in society is probably an extension of the parental or filial affections; and this extension may be in chief part attributed to natural selection, but perhaps in part to mere habit. For with those animals which were benefited by living in close association, the individuals which took the greatest pleasure in society would best escape various dangers; whilst those that cared least for their comrades and lived solitary would perish in greater numbers. With respect to the origin of the parental and filial affections, which apparently lie at the basis of the social affections, it is hopeless to speculate; but we may infer that they have been to a large extent gained through natural selection. So it has almost certainly been with the unusual and opposite feeling of hatred between the nearest relations, as with the worker-bees which kill their brother drones, and with the queen bees which kill their daughter queens; the desire to destroy, instead of loving, their nearest relations having been here of service to the community.'

It appears to us that Mr. Darwin in this passage completely contradicts his own argument. If the moral sense be derived from the social instincts, and those again are based upon the parental and filial affections, about the origin of which it is hopeless to speculate, it is very strange that Mr. Darwin should have advanced a speculation which he himself looks upon as hopeless. Why should we infer that they have been gained through natural selection? The social instincts doubtless benefit the community, and thus indirectly the individual, but that this utility is the cause rather than the effect we have no evidence.

We come now to the second stage of the hypothesis. There are two series of instincts, the one social and enduring, and looking to the general good, and the other looking to the individual and less persistent. The approval of conscience is merely an unhesitating obedience to the first, while disobedience causes regret and remorse. We deny the fairness of a comparison between 'social instincts' and those qualities which are instincts in animals. The respect for property, or law, or the voice of society, cannot fairly be termed instincts, because, as Mr. Darwin himself has shown in defining instinct from imitation, these virtues are not transmitted in the same unerring way. They are gradually acquired by the infant, and are in no sense comparable to the impulse by which a bird builds a nest. The first trial of the bird is as perfect as the last,

while the social virtues are slowly recognised and embraced by the child, and by continual habit becomes quasi-instinctively followed. Mr. Darwin is not justified in overlooking this most important difference between what he terms 'the social instinct' in man and the instinct of the lower animals. This portion of the argument is founded on a false analogy.

The third stage consists of the evolution of public opinion expressed through a language more or less perfect, by which the common good would form the standard up to which each person would act; and lastly, the tendency to act for the common good would become inherited, and the habit gradually come to be an instinct. And thus our sense of right and wrong is gradually evolved by natural selection, without the necessity of the interference of any other law. It is merely the result of the working of the principle of utility in our natures. Right is merely what is found by experience or ruled to be for the good of society; and wrong that which is hurtful or which is deemed so.

These views are, strictly speaking, utilitarian, but their basis is shifted from that of selfishness, or 'the greatest happiness principle,' to that of the general good. If they be true, they must explain the phenomena of morals, and our virtuous actions must be essentially founded on a utilitarian basis. But how could this have been brought about through the agency of natural selection? Would it be possible for a being, acting for the good of society, gradually to acquire the idea of right by the exercise of his social instincts? He could only perfect them, and could not, on the hypothesis, separate the useful from the right. Mr. Wallace has discussed this point most admirably:—

'Although the *practice* of benevolence, honesty, or truth may have been useful to the tribe possessing these virtues, that does not at all account for the peculiar *sanctity* attached to actions which each tribe considers right and moral, as contrasted with the very different feelings with which they regard what is merely *useful*. The utilitarian hypothesis (which is the theory of natural selection applied to the mind) seems inadequate to account for the development of the moral sense. This subject has been recently much discussed, and I will here only give one example to illustrate my argument. The utilitarian sanction for truthfulness is by no means very powerful or universal. Few laws enforce it. No very severe reprobation follows untruthfulness. In all ages and countries, falsehood has been thought allowable in love, and laudable in war; while at the present day it is held to be venial by the majority of mankind, in trade, commerce, and speculation. A certain amount of untruthfulness is a necessary part of politeness in the east and west alike, while even severe moralists have held a lie justifiable to elude an enemy or prevent a crime. Such being the difficulties with which this virtue has had to struggle, with so many exceptions to its practice, with so many instances in which it brought ruin or death to its too ardent devotee, how can we believe that considerations of utility could ever invest it with the mysterious sanctity of the highest virtue—could ever induce men to value it for its own sake, and practise it regardless of consequences?' (P. 352.)

We do not see what answer either Mr. Mill or Mr. Darwin can make to this argument. Or again, supposing we test Mr. Darwin's view of the origin of regret and remorse on his own principles:—

'At the moment of action, man will no doubt be apt to follow the stronger impulse; and though this may occasionally prompt him to the noblest deeds, it will far more commonly lead him to gratify his own desires at the expense of other men; but after their gratification, when past and weaker impressions, and contrasted with the ever-enduring social instincts, retribution will surely come. Man will then feel dissatisfied with himself, and will resolve, with more or less force, to act differently for the future. This is conscience; for conscience looks backwards and judges past actions, inducing that kind of dissatisfaction which, if weak, we call regret, and if severe, remorse.'

Remorse is, according to this very remarkable view, merely a sort of regret which flows from the not having followed a persistent instinct. But so far from the two feelings being the same in kind, they are utterly distinct. The man who has killed his friend by an accident, would feel keen regret, but would he suffer the tortures of humiliation and agony and despair which would inevitably follow a deliberate murder, and which prompt hardened criminals to yield themselves up to punishment? In the latter case there is regret, but it is covered by a deeper and more powerful feeling of remorse. And how could this have been acquired by natural selection or the working of the utility principle? It does not promote the good, or the happiness, or the self-interest of the individual, and so far as society is concerned, the lower feeling of regret would be equally useful. It cannot therefore be accounted for on the Darwinian hypothesis of the evolution of morals. Or again, if we appeal to the virtues of care and respect for the infirm and aged, how could they have sprung from the blind workings of feelings good for society, seeing that, to say the least, the trouble of their

maintenance more than counterbalances the profit which society obtains from their experience? The weakly and the infirm act injuriously to society by leaving a weak and sickly offspring. On the principle of natural selection the Fijian custom of killing the adults at the first approach of old age, or the Esquimaux practice of deserting the aged and the infirm, ought to be universal. In all these cases, as Mr. Hutton has justly remarked, in combating the utilitarian genesis of morals, advocated by Mr. Spencer, 'we cannot *inherit* more than our fathers *had*.' No amount of the accumulation of the experiences of utility could give origin to a feeling in which utility not only had no share, but to which it was, if anything, antagonistic.

Even in the statement of his own views, Mr. Darwin contradicts himself. In p. 88 he defines 'a moral being to be one who is capable of comparing his past and future actions, or motives, and of approving or disapproving of them. We have no reason to suppose that any of the lower animals have this capacity; therefore when a monkey faces danger to rescue its comrade, or takes charge of an orphan monkey, we do not call its conduct moral.' How can this be reconciled with what seems to be the extension of the moral sense to dogs? (p. 92): 'The imperious word *ought* seems merely to imply the consciousness of the existence of a persistent instinct, either innate or partly acquired, serving him as a guide, though liable to be disobeyed. We hardly use the word *ought* in a metaphorical sense, when we say hounds ought to hunt, pointers to point, and retrievers to retrieve their game. If they fail thus to act they fail in their duty, and act wrongly.' He also assumes in his argument the truth of propositions which are undoubtedly false. We should like to know, for instance, where Mr. Darwin finds the 'ever-present instinct of sympathy and good will,' on which, in his view, the moral sense depends. It is certainly not to be found in any of the busy haunts of men. The highest precept of morals is 'to return good for evil, to love your enemies, and do good to them that despitefully use you.' But that doctrine has not yet become an instinct, as every one of us can feel for himself. Mr. Darwin, in thus raising his standard of right and wrong on human sympathy and good will, must be thinking of some Utopia that has not yet been realised on this earth.

We may sum up Mr. Darwin's attempt to explain the growth of the moral sense in man, from rudiments in the lower animals by means of natural selections, as failing in every point. It does not explain any of those facts which we know from our own feelings to be true, and it is full of difficulties and contradictions. It has indeed failed, as any attempt from the natural history point of view might be expected to fail. We cannot account by any known natural laws for the moral sense or any of the virtues, or for the great intellectual superiority of man over the brutes. If they be not God-implanted, they baffle our powers of analysis. But whatever view be taken of their origin, they raise a barrier between us and the brutes which cannot be passed by the natural selection theory. On the one side stands man, gifted with articulate speech, conscience, and reason, able to look into the universe, and to rule its laws to his own advantage, and able also, as the materialists seem to forget, to look inwards and analyse his own mental condition. On the other are the beasts, subject to natural laws, without knowledge of the past, or hope for the future, and gifted with just enough understanding to fit them for their conditions of life. To measure man's superiority over the brute by his bodily frame is the only method by which a naturalist can construct his system; but to proceed to say that there is a corresponding identity of mental character between man and brute, is to refuse to acknowledge facts in psychology which are as well ascertained as any of those in natural history. Till Mr. Darwin can show that the higher faculties of the human mind, such as the power of abstract thought and of forming general ideas, are merely developed from rudiments in the brutes by natural selection, his conclusion that the human mind is the same in kind with that in the brutes is a mere assertion without proof. To discuss the problem with these important factors left out, is to play 'Hamlet' with the character of Hamlet left out.

But if all those non-physical characters on which our humanity depends could not be originated by natural selection, it may be admitted that they have been perfected by it. Small variations in intelligence are accumulated by a kind of natural selection from father to son, and every-day life consists of a keen competition which must on the whole tend to increase the powers of reason, in the same way that exercise strengthens a blacksmith's arm. The differences in the faculty of the lowest savage and that of a Shakespeare or a Goethe may be taken to be a measure of the power of natural laws, some known and some unknown, to modify intelligence, but even here the manifestation of the highest intellect is not the result of the accumulation of a small series of varia-

tions. Great men are not the crown and apex of a long line of ancestors gradually rising from the common herd; but they appear suddenly, *per saltum* as the naturalist would say, or, as it were, God-sent. None inherit their extraordinary faculties. The survival of the fittest is of course a necessary law of our being, but not the only law; it does not originate, but it merely moderates, what is brought before it, and weeds out what is hurtful to the individual.

We will now return to the bodily attributes of man, on which Mr. Darwin is to be listened to with great respect. The erect posture he attributes to a gradual change of habit in our ancestors, on our walking on the ground, and on the great value which the hands would be for various purposes. The peculiarly human modifications of the vertebrate structure caused by this change have probably given to man those characters by which he is known to the naturalist from the quadrumana. They may possibly be due in part to natural selection; but we cannot be sure that the habit of walking erect was first attained by that means. The nakedness of our skin, which Mr. Wallace ascribes to a supernatural agency, and the variation in colour in different races, he attributes to the action of sexual selection, or the varying tastes which have led women to choose their partners, and *vice versâ*. To this principle we shall recur presently.

Although the human race has most extraordinary powers of resisting the force of external conditions, yet in some cases change of condition acts directly on the human body. In the United States, for instance, the measurements of more than one million soldiers who served in the late war, prove that a residence in the Western States during the years of growth tends to increase stature. On the other hand, a seafaring life delays growth according to the investigations of Mr. Gould. The large size of the bodies and the great thoracic capacity of the Aymara Indians has been traced by Mr. Forbes to their living on a lofty plateau from ten to fifteen thousand feet above the sea. With regard to the blackness of the negroes, we differ from Mr. Darwin, and we are inclined to ascribe it to the direct action of the sun in the torrid zone, rather than to the capricious taste of men and women in choosing their partners; and for this reason which Mr. Darwin omits to notice, that although a black absorbs more heat than a light coloured skin, it yields it up with much greater freedom and without blistering.* Mr. Darwin's argument against this view, derived from the distribution of the variously-coloured races, which does not coincide with corresponding differences of climate, and from the fact that the Dutch settlers in South Africa have undergone a slight change in three hundred years, has no bearing on the question. It merely implies the improbability of the colour having been brought about by gradual variation, but not if it were originated by a sudden variation, as in a case quoted by Dr. Wells.* Hannah West was born from fair parents in Sussex, and was of light complexion, excepting that her left shoulder, arm, fore-arm, and hand, were covered with a jet black skin. We may note in passing, that this remarkable change could not have been brought about by natural selection. Had a variety of this kind once sprung up among the ancient dwellers of the torrid zone in Africa, it is only reasonable to suppose that it would gradually have spread over the continent, because it is better fitted to endure a hot climate than the white skin. The probability that negroes have thus originated, suddenly, and not by natural selection, is considerably increased by the well known cases to which we have alluded, of the sudden appearance of the short legged Ancon sheep and of the six-fingered Kelleia family, in each of which the peculiarity suddenly obtained was handed down by inheritance. Were a variety of this kind to spring up among the Dutch, it is very probable that it would spread over Africa in the same way as the negro. The three hundred years of which Mr. Darwin speaks is as yesterday compared with the vast lapse of time implied by the present distribution of the negroid races.

In treating of the various races of men, Mr. Darwin unaccountably omits to notice perhaps the most important essay which has been written on the subject, in which the number of races is satisfactorily decided according to their external characteristics. Professor Huxley, approaching the subject altogether from the natural history point of view, finds that there are four well-defined groups, or races, each of which is possessed of likenesses, and unlikenesses, which do not shade off into each other, except under circumstances which render it highly probable that interbreeding has taken place.† The first, or the Australoid, is possessed of the following characters—'a dark complexion, ranging through various shades of light and dark chocolate colour; dark or black eyes; the hair of the scalp black, neither coarse and

* On this point a series of experiments by Sir Everard Home is conclusive. Philosophical Transactions, 1821, vol. iii. p. 1.

* Essays, p. 246.

† International Congress of Prehistoric Archæology, Norwich Volume, p. 92. 1868.

lank nor crisp and woolly, but soft, silky, and wavy; the skull always belonging to the dolicho-cephalic group, or having a cephalic index of less than 0.8.' It ranges at the present day throughout the great continent of Australia, but is not found in the contiguous island of Van Diemen's Land. The hill tribes in the Dekhan present all these characters, and 'an ordinary coolie would pass muster very well for an Australian, though he is ordinarily less coarse in skull and jaw.' The ancient Egyptians also, Professor Huxley believes to belong to the same race, for although the modern Egyptian 'has been much modified by civilisation, and probably by admixture, he still retains the dark skin, the black silky wavy hair, the long skull, the fleshy lips, and the broad alæ of the nose which we know distinguished his remote ancestors, and which caused both him and them to approach the Australian and the "Dasyu" more nearly than they do any other form of mankind.' The researches of Colonel Lane Fox on the various kinds of implements in use among savages add great weight to the conclusion that these isolated peoples belong to one and the same stock. The very singular weapon, the boomerang, usually considered to be peculiar to Australia, is used in the Dekhan, and was formerly used by the ancient Egyptians. Professor Huxley thinks it very probable that the dark whites (Melanochroi) stretching from northern Hindustan through western Asia, skirting both shores of the Mediterranean, and extending through Western Europe to Ireland, 'had their origin in a prolongation of the Australoid, which has become modified by selection or intermixture.' Brunettes may perhaps owe their beauty to a dash of Australoid blood.

The second, or the Negroid race, has a 'dark skin, varying from yellowish brown to what is usually called black, dark or black hair which is crisp, or what is commonly called woolly in texture,' and with but rare exceptions a long head. In Africa it presents two marked modifications—the dwarfed, light-complexioned bushman, and the tall dark negro proper. Men possessed of negroid characters inhabit the Andaman Isles, the peninsula of Malacca, the Philippines, the chain of islands passing south and east parallel to the east coast of Australia to New Caledonia, and lastly Tasmania, where they are now represented by one lonely woman.

The third, or Mongoloid race, is characterised by a complexion ranging 'from brownish yellow to olive; the eyes are dark, usually black; the hair of the scalp black, coarse, straight, and long.' The proportions of the skull, so constant in the two preceding races, vary in this from extreme dolichocephaly to extreme brachycephaly. It ranges from the banks of the Danube and Finland through the great steppes of Central Asia, China, Japan, and through the two Americas. It peoples also most of the islands in the Pacific Ocean, and has effected a lodgment in Madagascar, probably through the great aptitude for navigation which some of its branches, such as the Malays and Japanese, undoubtedly possess.

The fourth race, or the Xanthochroic, to which we ourselves belong, possess 'blue or grey eyes and yellow or yellow brown hair, and a skull varying in size and form from extreme length to extreme breadth.' The fair-haired Germans may be taken as types. More or less crossed with the Australoid races, it constitutes the dark-haired people of northern Africa, southern Europe, and Asia Minor; and it passes through Asia Minor to the north of India. It occupies an area relatively small compared with the Mongoloid race, but is now spreading over the earth with great rapidity wherever the climate will allow of a foothold.

The distribution of these four races of men offers a point of considerable difficulty. We can understand how the two latter peoples spread to remote regions by means of navigation; but neither the Australoid nor the Negroid races possess any facility for devising means of transport by water. For either of them to have crossed the sea from any one region where they are found to a far distant point, would have been impossible. It is therefore absolutely certain that they must have migrated by land, under very different physical conditions to those which now obtain. If we start from Africa, we get an unbroken continent as far as the Malacca peninsula. The islands farther to the south in which the two races have escaped destruction from the other competing races, must during the time they passed from one to the other have been a continuation of the solid land of Asia. In no other manner can the presence of the same people in Australia and the Dekhan be accounted for, or in the Andamans and Tasmania. And Australia must have been insulated from the mainland of Asia *before* the Negritos took possession of what is now the chain of islands extending from Malacca through New Guinea down to Tasmania. Had it not been so the Negritos would have spread over the great Australian continent. The view that the chain of islands in question are the higher grounds of a land now submerged, a mountain chain, like that of the Andes or Rocky Mountains, of a region

which has disappeared beneath the waves of the sea, is considerably strengthened by the examination of the east coast of Australia, where a great barrier coral reef, extending for a thousand miles at various distances from the shore, testifies to the gradual sinking of the land. Such phenomena Mr. Darwin has proved in his work on coral islands are the rule rather than the exception in the Pacific Ocean; and to speak in general terms, there is ample proof that the Pacific Ocean is on the whole a subsiding area at the present day. The distribution of the Negroid race in Africa is probably due to an opposite movement of land. The burning sands of the Sahara have been proved by late geological research to have been the bed of a sea, which flowed south of the Atlas, which would form an impassable barrier to the northward migration of the Negroid races.

Nor are we without a clue to the relative antiquity of these four races. The Australoid race must have found its way into Australia along the continuation of the mainland, before that region was insulated from the Asiatic mainland, and it is equally certain that the Negroid races occupied the same continuation of land, probably destroying the original occupants after that geographical change took place. There is, therefore, strong reason for believing that the Australoid occupied that region before the Negroid invasion. Whether the Mongoloid race be older than the Xanthochroic is doubtful, but its wide distribution seems to lead to that conclusion. The relative ages of these great races can of course only be determined at their points of contact; but judging from their distribution we should be inclined to place them in the following order in point of time: Australoid, Negroid, Mongoloid, and Xanthochroic. And that this sequence is true of at least two out of the four is proved by the independent testimony of the cerebral development. In this respect the Australoid and Negroid are at the bottom, and between these and the remaining two races there is a considerable gap. The two former are separated from the two latter by the lapse of time necessary for the bringing about of great geographical changes over a considerable area in Europe, Asia, and Africa.

The much vexed question whether these races are entitled to rank as species in nature, is, in our belief, satisfactorily decided by an appeal to that great test of a species, the fertility of the offspring. The hybrids in nature are invariably sterile, while it is a notable fact that the offspring of marriages between the different races are fertile, and it would follow that these races are not entitled to specific rank, and consequently that man was descended from one and not from many stocks. Mr. Darwin views them as sub-species.

The condition of the primeval man is veiled in impenetrable darkness. Sir John Lubbock, arguing from the present state of the lowest and most degraded savage, believes that he was a savage of the lowest order, and endowed with the knowledge of fire and assisting his bodily weakness with rude tools and weapons. Mr. Darwin holds (vol. i. p. 235) that 'in a series of forms graduating insensibly from some ape-like creature to man as he now exists it would be impossible to fix on any definite point when the term Man ought to be used.' It may be that the primeval man was closely linked to the apes in body, very much as we ourselves are, but we deny that there is any evidence of an insensible graduation. While there are cases on record of parents producing offspring as unlike themselves as one species is unlike another in nature, and of the variations from a parental form being handed down to the descendants, how can we tell that man has not arisen from his lowly ancestry suddenly, from the incidence of causes beyond the ken of the naturalist? How can we tell that he did not spring forth suddenly as the manifestation of humanity in the brute creation? We maintain, that it is highly probable, from the stand-point of natural history, that he did so appear, while natural selection does not explain the known facts of the case. We bear in our body, Mr. Darwin says, the marks of our lowly origin, and it may be added we bear in our minds an equal proof of an origin which is not from below, but from above. It may be fair to point to the tip in the ear, and the moulding of our bodily frame, as testifying to our relationship with the apes; surely it is equally just to point to our higher intellectual faculties and our moral sense, as being sent by a higher Intelligence. 'Spiritual powers (Mr. Darwin allows) cannot be compared or classified by the naturalist;' why then should he attempt to compare and classify them? Man's body has probably been evolved from a lower form, but not, as we have shown, by natural selection. Our intellectual faculty and our moral sense, in so much as they are not found in the lower animals, cannot have been merely the result of a like evolution, and we can safely say that they have no brutish origin.

Mr. Darwin thus indicates the probable line of our descent:—

'The most ancient progenitors in the kingdom

of the Vertebrata, at which we are able to obtain an obscure glance, apparently consisted of a group of marine animals, resembling the larvæ of existing Ascidians. These animals probably gave rise to a group of fishes, as lowly organised as the lancelet; and from these the ganoids, and other fishes like the lepidosiren, must have been developed. From such fish a very small advance would carry us on to the Amphibians. We have seen that birds and reptiles were once intimately connected together; and the Monotremata now, in a slight degree, connect mammals with reptiles. But no one can at present say by what line of descent three higher and related classes—namely, mammals, birds, and reptiles, were derived from either of the two lower vertebrate classes—namely, amphibians and fishes. In the class of Mammals the steps are not difficult to conceive which led from the ancient Monotremata to the ancient Marsupials; and from these to the early progenitors of the placental Mammals. We may thus ascend to the Lemuridæ; and the interval is not wide from these to the Simiadæ. The Simiadæ then branched off into two great stems, the New World and Old World monkeys; and from the latter at a remote period, Man, the wonder and glory of the universe, proceeded.

'Thus we have given to man a pedigree of prodigious length, but not, it may be said, of noble quality. The world, it has often been remarked, appears as if it had long been preparing for the advent of man; and this in one sense is strictly true, for he owes his birth to a long line of progenitors. If any single link in this chain had never existed, man would not have been exactly what he now is. Unless we wilfully close our eyes, we may, with our present knowledge, approximately recognise our parentage; nor need we feel ashamed of it. The most humble organism is something much higher than the inorganic dust under our feet; and no one with an unbiassed mind can study any living creature, however humble, without being struck with enthusiasm at its marvellous structure and properties.' (Vol. i. p. 212.)

The truth or falsehood of this pedigree has no relation whatever to religious belief, for we have already proved that the changes which it pre-supposes were not brought about by natural selection. The difficulties in the way of that theory offered by the brain, ear, or eye of man apply with equal force to the organs of the lower animals. Natural selection is undoubtedly a most powerful agent of change, but it is not, as Mr. Darwin believes, the sole agent. He now admits that he over-stated his case in the 'Origin of Species' in order that its claims might not be overlooked. 'I had not formerly sufficiently considered (he writes) the existence of many structures which appear to be, as far as we can judge, neither beneficial nor injurious; and this I believe to be one of the greatest oversights as yet detected in my work.' We believe that as his great work progresses, the theory of natural selection will be gradually changed for that of evolution, in which it is relegated to a very subordinate rôle. There are indications of this change of front in the 'Descent of Man,' which is rendered inevitable by the recognition of factors of change other than natural selection.

The special characters of each of the great races of mankind have probably been derived in the same way as those of animals bred under domestication. After their first dispersion from one centre, they intermarried among themselves and became of a family type, in proportion as they were insulated by geographical boundaries or by mutual antipathies. There is no greater difficulty in thus explaining the differences between the races than in explaining those which undoubtedly exist between different families and clans. Were two families insulated for some thousands of years from each other, they would become endowed with certain peculiar physical characters. And were they placed in different quarters of the world, there is every reason for believing that they would present differences almost as marked as those between the Mongoloid and the fair-haired races. Mr. Darwin believes that they cannot be accounted for by natural selection, and he invokes to his aid the principle of sexual selection by which men and women choose their partners:—

'I do not intend to assert that sexual selection will account for all the differences between the races. An unexplained residuum is left, about which we can in our ignorance only say, that as individuals are constantly born with, for instance, heads a little rounder or narrower, and with noses a little longer or shorter, such slight differences might become fixed or uniform, if the unknown agencies which induced them were to act in a more constant manner, aided by long-continued intercrossing. Such modifications come under the provisional class, alluded to in our fourth chapter, which, for the want of a better term, have been called spontaneous variations. Nor do I pretend that the effects of sexual selection can be indicated with scientific precision; but it can be shown that it would be an inexplicable fact if man had not been modified by this agency which has acted so powerfully on innumerable animals, both high and low in the scale. It can further be shown that the differences between the races of man, as in colour, hairyness, form of features, &c., are of the nature which might have been expected would have been acted upon by sexual selection.'

Mr. Darwin fully admits in this passage that variations suddenly arise from unknown causes, and that there are factors of change besides those which he enumerates; and he

limits the sexual selection to the picking and choosing of the variations to a great extent according to the fancy, instead of for the good, of the individual, as in natural selection. Practically in so doing he allows the point for which we have been contending, that natural selection is powerless to originate a new form, although it is powerful to modify it when once it has arisen. To do justice to the argument we must briefly sum up the evidence as to the change wrought in the lower animals by sexual selection. This ought, indeed, to have formed a separate work, for it has but a collateral bearing on the sexual selection of man, and it would have been better if Mr. Darwin had first of all argued the effect of human caprice, which can be tested by our own experience, before he investigated the results which he believes to have been brought about by the same qua'ity in the lower animals.

Sexual selection, according to Mr. Darwin, may be defined to be the cause of the great majority of those differences between males and females of the same species which cannot otherwise be accounted for, a cause co-ordinate with natural selection of the diversity of form and colour manifested in the animal kingdom. It is obvious that all facts in natural history can either be explained by natural selection, or they cannot; and it is hardly fair to put the latter into the category of sexual selection, and to keep the third class which cannot be explained by either in the background. To sexual selection are attributed equally the splendour of the humming bird, the wattles and comb of the turkey-cock, and the superior strength of the males over the females, or the reverse. It seems to us that the results of two very different factors are ascribed to its action. On the one hand there is that natural desire of propagating their kind which is distinctly normal, and which leads to the deadly conflicts between the males, in which the larger and the stronger are the conquerors, or to changes in bodily form by which the union of the sexes is promoted. To this may be ascribed the large size and the development of antlers in the buck, the curvature of the lower jaw of the salmon, the large tusks of the wild boar, and innumerable other cases which are enumerated in a most charming manner in the 'Descent of Man.' We fully admit that this is a constant and persistent force, tending continually to one end, and that is the multiplication of the individual which is stronger or better armed. On the other hand there is a caprice or fancy, which is uncertain as the wind in its action upon ourselves, and which, if our experience be worth anything, has a tendency to vary with each individual. How the action of this quality in individuals during a long course of ages could have resulted in the *constant* colours and forms in males and females, which, according to Mr. Darwin, are of no good to the individual, rather than have brought about an infinite variety within the limit of each species, is a difficulty with which Mr. Darwin cannot possibly grapple. Caprice is certainly present in the higher animals; but so uncertain an agent could never have produced an uniform result, whether it be of form or of colour. We will examine the argument as to colour.

Beauty of colour is very generally found throughout the animal kingdom, and is essentially of the same kind. The gorgeous tints of a sea-anemone or of a coral, or the lustrous sheen on the hairs of a sea-slug or on the interior of an ear-shell, are as beautiful as the stripes of a tiger or the splendour of a bird of paradise. None could maintain for a moment that there is the slightest difference between them as works of art. In some cases the design of colouring is the same in the higher and lower classes of the animal kingdom. In the cone-shells, for instance, the contrast between the black stripes and reddish back-ground of the tiger's skin is exactly followed, and among the endless varieties of the cowry, some are ornamented with the same colours as some of the antelopes. It is only reasonable to account for this identity on the hypothesis that like results have been produced by similar causes, and that whatever may be the explanation of the colours of one class of organisms, ought also to explain the presence of similar colours in the other class. Mr. Darwin, however, with a strange want of logic, denies this. In the case of the lower animals, such as sea-anemones, corals, and others which either present no sexual differences or are hermaphrodite, he believes that colours are the direct result of the chemical nature, or the minute structure of their tissues, independently of any benefit thus derived—'The tints of the decaying leaves in an American forest are described by everyone as gorgeous; yet no one supposes that these tints are of the least advantage to the trees. Bearing in mind how many substances closely analogous to natural organic compounds have been recently formed by chemists, and which exhibit the most splendid colours, it would have been a strange fact if substances similarly coloured had not often originated, independently of any useful end being thus gained, in the complex laboratory of living organisms.' Thus a large division of the animal kingdom is taken out of the category both of natural and sexual selection, and

relegated to that which is of unknown causation. With the higher animals, according to Mr. Darwin, the case is very different; 'for with them, when one sex is much more brilliantly or conspicuously coloured than the other, and there is no difference in the habits of the two sexes which will account for this difference, we have reason to believe in the influence of sexual selection; and this belief is strongly confirmed when the more ornamented individuals, which are almost always the males, display their attractions before the other sex. We may also extend this conclusion to both sexes, when coloured alike, if their colours are perfectly analogous to those of one sex alone in certain other species of the same group.' The very fact that beauty of colour is found equally distributed among the lower animals where there could be no sexual selection, implies that in the higher animals also it could not have been the result of sexual selection. There is, doubtless, connexion between splendour of colour and sexual functions in all the higher animals, as in the case of the male stickleback, described by Mr. Warrington as being beautiful beyond description during the breeding season—'The back and eyes of the female are simply brown, and the belly white; the eyes of the male, on the other hand, are of the most splendid green, having a metallic lustre like the green feathers of some humming birds. The throat and belly are of a bright crimson, the back of an ashy green, and the whole fish appears as though it were somewhat translucent and glowed with an internal incandescence' (vol. ii. p. 14). It is absurd to suppose that this remarkable transformation is caused by the female stickleback choosing her partners for millions of generations with a special view to brilliancy of colour.

Animals are variously affected by different colours, being attracted by some and repelled by others; but this does not prove that their partners owe their tints to the taste of the opposite sex. Mr. Darwin's argument, derived from the fact that splendidly coloured males show off their beauty to the females, loses point from the circumstance that they will also show off to their fellow males, as in the case of grouse, or to spectators, as in the case of peacocks, which frequently exhibit their splendid tails to the unsympathetic eyes of pigs, horses, and cows. We do not deny that the higher animals exert some choice in their courtship, but we deny that Mr. Darwin has advanced proof that the beautiful colours of the males in the higher animals are due to sexual selection. In the present state of knowledge, we must confess our ignorance of the *vera causa;* but whatever it may be, we may fairly infer that it must explain the tinting of shells and corals, and the lower animals, as well as that of the higher classes of the animal kingdom, the exquisite painting of a turbo which during life is concealed beneath the thick epidermis, as well as the glories of a peacock. Mr. Darwin professes his inability to conceive the purpose of the beauty which pervades the organic creation, if it be not subservient to the reproduction of race. But is the beauty of creation confined to organic beings? Does it not extend to the crystal and the gem drawn from the deepest mines? Does it not beam in every ray of light which flashes over sky or sea? Does it not fill the firmament, and clothe the earth? What matters it to explain by some idle theory the colours on the back of a caterpillar, when the whole universe is replete with the same marvellous hues, symmetry, and grace?

Mr. Darwin has told us some amusing stories of the loves of the animals—the lady spider, that fell upon and ate up her lover, to the unspeakable horror of the beholder; the seal which bows to his lady love till he has got her within range of his teeth; the coquetry of the Thysanura—are perfect of their kind; but he has not advanced a shadow of proof that sexual selection is capable of producing the changes of form and colour which he attributes to it. To the truth of his view it is necessary to show that taste in the species has always flowed in one definite direction, without any of that fickleness which we associate with the idea of taste. He must also show that animals possess instinctive love of beauty and of positive ugliness, judged according to our standard. These two essentials to his theory he assumes without any attempt at proof.

Throughout the treatise on sexual selection Mr. Darwin is continually committing the error which he pointed out in his first volume—that of treating the productions of animals as if they flowed from the same qualities as would be necessarily implied if they were our own. Because birds are beautiful, and build beautiful nests, he argues that they possess the same æsthetic taste as we ourselves under the highest culture :—

'The best evidence, however, of a taste for the beautiful is afforded by the three genera of the Australian bower-birds already mentioned. Their bowers, where the sexes congregate and play strange antics, are differently constructed, but what most concerns us is, that they are decorated in a different manner by the different species. The satin bower-bird collects gaily-coloured articles, such as the blue tail-feathers of parakeets, bleached bones and

shells, which it sticks between the twigs, or arranges at the entrance. Mr. Gould found in one bower a neatly-worked stone tomahawk and a slip of blue cotton, evidently procured from a native encampment. These objects are continually rearranged, and carried about by the birds whilst at play. The bower of the spotted bower-bird is beautifully lined with tall grasses, so disposed that the heads nearly meet, and the decorations are very profuse. Round stones are used to keep the grass-stems in their proper places, and to make divergent paths leading to the bower. The stones and shells are often brought from a great distance. The regent-bird, as described by Mr. Ramsay, ornaments its short bower with bleached land-shells belonging to five or six species, and with berries of various colours, blue, red, and black, which give it, when fresh, a very pretty appearance. Besides these, there were several newly-picked leaves and young shoots of a pinkish colour, the whole showing a decided taste for the beautiful. Well may Mr. Gould say these highly-decorated halls of assembly must be regarded as the most wonderful instances of bird architecture yet described, and the taste, as we see, of the several species certainly differs.' (Vol. ii. p. 112.)

There is surely no more evidence that these birds build nests from æsthetic motives than that beavers build their dams from their knowledge of the principles of applied mechanics. If the exquisite beauty of birds, taking them as an example, be merely the result of the reaction of the æsthetic faculties on the plumage of their partners, we may as well at once give up the attempt to compete with them in the department of taste. Our noblest painters cannot hope to reproduce the tints of a humming-bird's feather. Can we hope, after struggling after the higher culture for generations, and having our love for the beautiful obtained by education, and transformed into an instinct by inheritance, to attain to the æsthetic cultus —shall we say? of a female argus-pheasant. In our present state we are in that respect infinitely inferior to the lower animals on the hypothesis. To treat animals as if they were men and women is little less than absurd. Moreover, were beauty the result of sexual selection, it ought to be manifested in the highest degree in the highest animals, since a sense of the beautiful is to a large extent dependent on intellectual development. This could not be maintained by Mr. Darwin, or by any other naturalist. From whatever point of view the theory is examined, it is altogether inconsistent with known facts.

Inferences might not unfairly be drawn from this portion of Mr. Darwin's work, to which we cannot in this place do more than advert. But we do him no injustice in ascribing to him the theory of Lucretius—that Venus is the creative power of the world, and that the mysterious law of reproduction, with the passions which belong to it, is the dominant force of life. He appears to see nothing beyond or above it. In a heathen poet such doctrines appear gross and degrading, if not vicious. We know not how to characterise them in an English naturalist, well known for the purity and elevation of his own life and character.

We must now conclude our remarks on this subject of absorbing interest. Never, perhaps, in the history of philosophy, have such wide generalisations been derived from such a small basis of fact. Mr. Darwin's theory of the growth of the moral sense and of the intellectual faculty is unsupported by any proof; and the very corner-stone of the hypothesis, that the human mind is identical in kind with that of the brutes, is a mere assumption opposed alike to experience and philosophy. The view of sexual selection is greatly exaggerated, and altogether inadequate to explain the differences between the sexes. In a word, Mr. Darwin has chosen this crucial test of the truth of natural selection, and it has broken down at every point where it has been tried. Mr. Wallace, treating of the general question of the evolution of life, takes very much the same view as Mr. Darwin, but he allows that Man cannot be accounted for by the theory. Yet both these authors have upon the whole done good to science by making people think; and the results of that thought will be, in our belief, not the blind acceptance of their views, but a realisation of the truth, that whatever the doctrine of evolution may be worth, so far as relates to man's body, man's intellect and moral sense are now, as they ever were, inscrutable from the point of view offered by natural history; and only to be comprehended from far higher considerations, to which, as a mere naturalist, Mr. Darwin has not attained.

ART. VIII.—*Land Tenure Reports. Denmark:* 1870. By Mr. STRACHEY. Published by the Foreign Office.

IT may seem premature at this moment to discuss any question of foreign politics beyond the immediate consequences of the great conflict which Europe has lately witnessed. To appreciate its influence on the internal development and constitution of Germany, to guess at the time which France

will take in recovering from the heavy blows under which she still reels, may well be deemed sufficient task for the attention both of the speculative and practical politician. Yet besides these there are questions smaller in importance, it may be, and lying outside the immediate range of the politics of the hour, the settlement of which cannot fail to have a considerable influence on the future of Europe, and which it would be culpable to overlook.

Amongst these minor questions the future of the Scandinavian kingdoms holds a front place, and is one in which the inhabitants of the country have for many reasons a peculiar interest. Nowhere, probably, were the fortunes of the great Franco-German struggle watched with so absorbing an interest as in Denmark. At the beginning of the struggle it was even rumoured that this interest might take an active shape, and one more country be added to the list of combatants. The efforts of diplomacy, seconded by the wisdom of the King of Denmark and his minister M. von Holstein, together with the inopportune *bon-mots* of the French envoy, the Duc de Cadore, averted the danger, which at one moment threatened to be serious. But though thus saved from the actual perils of a conflict, the war was none the less of all-engrossing importance to Denmark. It was thought, and probably with reason, that had France been successful the immediate restoration to her of at least North Slesvig would have followed as a necessary consequence. Now that Germany has been victorious, it remains to be seen what the probable fate of that duchy and its former mother-country will be, and how their future will influence that of Sweden and Norway.

The possession of Slesvig, it may here be observed, is a bone of contention as old, nay older, than the possession of the Rhine provinces; for if the quarrel about the latter began with the break-up of the Carlovingian Empire, as certain historians are fond of reminding us, the quarrel about the former began when the great Emperor tried to carry his arms north of the Dannewerke and the Eyder. If the politics of Western Europe have nearly always hinged more or less on the one, the politics of the North have, it may be said, always and invariably hinged on the other; and hence in a consideration of their present aspect it is Slesvig and its position to which the politician would almost instinctively look for the key of the question. It will be recollected that when peace was concluded in 1866 between Austria and Prussia, it was stipulated by the fourteenth article of the preliminary convention of Nikolsburg, and the fifth article of the Treaty of Prague, that the northern districts of Slesvig should have the opportunity given them of declaring by a free vote whether they wished to return under the government of the King of Denmark or retain their allegiance to the King of Prussia. The first rumour of this stipulation was received at Copenhagen with an incredulity which was only equalled by the joy which broke forth when its authenticity was discovered. But ugly symptoms soon began to peep forth, which made it seem as if the incredulity would have done well to prevail over the joy.

Before the final ratification of the Treaty of Prague, a bill was brought up into the Prussian Parliament, for the settlement of the incorporation of the Elbe Duchies with Prussia. The following is an extract from the report of the commission which brought up the bill:—

> 'We hope that the royal Cabinet will succeed in getting rid of the Fifth Article of the Treaty of Prague, or at least in confining the plebiscite to the extreme northern districts of Slesvig. We cannot consent to the unfortunate application of the theory of nationalities in the north of Slesvig, and thereby to expose ourselves to a possible ratification of the surrender of the districts which stretch as far south as Flensburg.'

On reading over this protest it naturally occurs to everyone who has any recollection at all of the events of past years, to ask on what grounds was an outcry raised by German patriots against Denmark, except on those of the principle of nationality, and the real or supposed oppression of their German fellow-countrymen in Holstein and Slesvig, in contempt of that principle.

How thoroughly Danish the feeling is in the districts where the stipulated plebiscite was to have taken place may be ascertained by considering the returns of the votes given in Slesvig at the first election for the North German Parliament after the incorporation of the Duchies with Prussia. They are as follows. In Hadersleben, Christiansfeld, and Apenraade (extreme north), Herr Krieger, the Danish candidate, had 15,028 votes; Herr Usoer, the German candidate, only 3,702. In Flensburg, Alsen, and Angeln (central part of Slesvig), Herr Ahlemann, the Danish candidate, had 9,927 votes; Herr Kraus (an Augustenburgher) had 6,803 votes, and Herr Mathiesen (Prussian) 2,807. In South Slesvig there was no Danish candidate, and the Germans were returned without opposition.

These facts and figures clearly show that a line of demarcation between the German

and Danish nationalities can be drawn for all practical purposes so as to put an end to the question at once, and, it may be hoped, for ever. It will be observed that in the extreme north the Danish votes completely outnumber the German votes, while in the extreme south the reverse is the case. In the second district, if the Prussian or governmental votes be added to the votes given for Herr Kraus, the candidate who still supported the claims of the Duke of Augustenburg, the number of votes given to Danish and to German candidates are as nearly as possible equal. But the really important fact to notice is that nearly all the 9,000 Danish votes were given in the districts north of Flensburg, while south of Flensburg nearly all the 9,000 German votes were given. In the Danish department of the Paris Exhibition of 1867 a map was exhibited which contained an analysis of the votes as given in each parish. From this it appeared that south of Flensburg the German votes were about 95 per cent., and north of Flensburg only 5 per cent.

It may then be asked on what grounds real or alleged the Prussian Government refuses to carry out the vote stipulated for by Article V. of the Treaty of Prague. The alleged reasons, or some of them, we shall shortly describe. The real reason is that German military men cannot abide the idea of doing anything which might lead to the abandonment of the important positions of Düppel, Sonderburg, and the isle of Alsen. Some Germans, indeed, take a sentimental view of the question and argue that the corpses of the soldiers who fell fighting in 1864 cannot possibly be allowed to rest in a foreign soil. It is said that this view finds favour in court circles at Berlin. There is something quite poetical in this reverence for the corpses of the slain; but it surely must suggest itself to those who are thus carried away by their feelings that Bohemia and Belgium, and a considerable portion of France, ought to be claimed as Prussian territory on the same grounds. Still, with the more hard-headed portion of the German nation, military considerations carry the day.

We have already given an extract from the report of a commission of the North German Parliament which supports this view. The following passage taken from a review of Prussianising politics may not be uninteresting as a proof that this feeling is shared by others besides professional politicians. The writer, after showing very fairly and elaborately that the population of Slesvig is mainly Danish as far as Flensburg, and that the Danish element predominates even in that town, says:—

'We do not however mean to imply by the foregoing explanation that we would at all consent or agree to language and the popular choice being taken as the basis for drawing the line of demarcation in the event of a retrocession of part of the Slesvig territory. With all respect to the principle of nationalities, we must be contented to let it play a subordinate part in their case as much on one side as on the other. The Germans in Hadersleben would have to make up their minds to give way, were Prussia, for the sake of peace, to consider herself obliged to draw the new frontier line south of their city, say from the bay of Gjenner across to Hoyer, after the due requisition of guarantees for the preservation of their German nationality in Denmark. Similarly our interests demand that North Slesvig up to and beyond the bay of Apenraade, especially Sonderburg and Alsen, should remain in German hands. We put aside the feeling which would forbid the Prussian soldiers who fell at the storming of the position of Düppel-Alsen for the liberation of Slesvig from the Danish yoke resting in a foreign soil. But the position in question is one of the greatest military importance for the protection of the whole province; it has become a Prussian fortress covering the most convenient position for the landing of an army bent on attacking Prussia from the north. Before such considerations as these all others must give way, and, least of all, need we take into consideration the feelings of half Danes in matters which are of vital importance to Prussia.' (*Preuss. Jahrbüch.*, No. 22.)

It is an interesting study to watch the strange mixture of cunning and insolence by which Prince Bismarck has evaded his promises and outwitted those who have had to negotiate with him. On the 26th of March, 1867, he declared in Parliament that as the before-mentioned treaty had been made with Austria, Austria alone could demand its fulfilment. On the 11th of May, roused a little in all probability by the reproaches to which European public opinion was giving vent, and seeing that at least an appearance of carrying out the promise he had made was becoming necessary, he wrote a dispatch to the Danish Minister for Foreign Affairs in which he declared that Prussia had not entered into any engagement, either with Austria or with Denmark, to renounce her supremacy over the inhabitants of North Slesvig, least of all over those of German nationality, and he went on to ask what guarantees would be granted by the Danish Government for the security of the nationality of the German inhabitants. Count Frijs Frijsenborg, the Danish Minister, answered on June 1st to the effect that the guarantees already secured by treaty and naturally emanating from the Danish Constitution appeared to him to be sufficient. He went on to attract the attention of M. de Bismarck to

the fact that the Treaty of Prague contained no allusion to any additional guarantees being given. To this the Prussian Government replied that additional guarantees were absolutely necessary. Popular feeling, however, in Denmark expressed itself strongly by vote of the Rigsdaag against acceding to any such request, as it was felt that any special guarantees would only give rise to the interference of Prussia in the affairs of the whole kingdom, in the same way that the treaties of 1851–2 had done by their stipulations regarding Holstein, and that it would be preferable to lose the whole of the duchy rather than run the risk of exposing the nation to a fresh invasion to be justified by some flimsy pretext on the next convenient opportunity. Still Count Frijs Frijsenborg was anxious to avoid doing anything which might allow the Prussian Government to throw the blame of the failure of the negotiations on the Danish Government. He accordingly, while continuing to maintain that special guarantees were needless, proposed that an official committee should meet to try to settle the question on some satisfactory basis, and consented to the payment of a portion of the debt of the Duchy by Denmark if any retrocession of territory were to take place. On the 18th of June, M. de Bismarck declared in reply, that the Treaty of Prague, if it did not mention, did not exclude special guarantees, and that they therefore could be demanded. He further alluded to the oppression of the Germans at the time when both the Duchies belonged to Denmark, forgetting that he had never ceased to deride the agitation which was founded on it, before he had seen that it might be turned to subserve the purposes of Prussian aggrandisement.

It would be curious to know by what principles of international law Prince Bismarck justifies his doctrine of the extensive interpretation of treaties. Every jurist, from Grotius downwards, has taught 'that the interpretation which extends proceeds with more difficulty, that which restricts more easily . . . In order that an extension may be rightly made, it is necessary that it should be apparent that the reason under which the case comes which we wish to comprehend, should be the sole and efficacious cause which moves the promiser, and that that reason was considered by him in its generalities, because otherwise the promise would have been unjust or useless.'* These are the grave words of the father of international law; but the principles of international law are just the sort of moral cobwebs which it is the delight of the German Chancellor to sweep away.

In the despatch of the 18th of June, which has been previously quoted, the Prussian Government had declared that the guarantees which were demanded would not be of a nature to interfere with the full sovereignty of King Christian in the districts to be ceded. Taking advantage of this declaration, Count Frijs Frijsenborg instructed the Danish envoy at Berlin, M. de Quaade, to inquire what these guarantees were to be. The inquiry led to the opening of negotiations, in which Prussia was represented by Herr Bucher, a well-known Prussian Chauvinist, whose appointment in this capacity was regarded as one of M. de Bismarck's minor practical jokes, and as a sure token of a preconcerted failure of the negotiations. Nor was German opinion wrong. Prince Bismarck, in introducing the plenipotentiaries, explained at much length that under no circumstances did Prussia intend to cede Düppel, Alsen, and the Sundewitt, and then proceeded to enlarge on the mixed character of the population in the districts of Apenraade, Christiansfeld, and Hadersleben, in which, as previously shown, the Prussian candidates were entirely outvoted. Shortly after Herr Bucher gave in a copy of the proposed guarantees. It was soon found that they were wholly incompatible with the full sovereignty of the King of Denmark, while at the same time it was carefully added by Herr Bucher, that in the case of these guarantees being granted, the Government would cede Christiansfeld, Hadersleben, and perhaps Apenraade; that is to say, the country north of the bay of Gjenner; while if they were not granted, it would only cede the Danish parishes close to the Jutland frontier, but would retain the above-mentioned towns as enclaves. After a perfectly useless discussion of these points, the Danish minister soon arrived at the conclusion that under no circumstances whatever did Prussia intend to cede one inch of territory. The negotiations since then, though resumed at intervals, have been practically abandoned.

Meanwhile, the process of Germanising went on. It was hoped that violence might succeed in making a change in the character of the population before any intervention could take place. The process of Germanising, if left to itself, is a very slow one. The Frenchman is a good colonist near home—a bad colonist far from home. The exact contrary is the case with the German. Lorraine, and even Alsace, were fast losing their German character previous to the late war. The line of the Dannewerke was the boundary

* Grotius, Book II. c. xvi., quoted by Wheaton.

between German and Dane in the time of Charlemagne. The German has taken a thousand years to gain a few miles to the north. The German population in Posen, the so-called Saxon colonies in Transylvania, exist in separate masses, neither assimilating nor being assimilated by the surrounding population. It was not then to ordinary means that Prince Bismarck and Count Scheel-Plessen were going to trust for the Germanisation of the province. The corporal and the clergyman, the magistrate and the schoolmaster, were called in.

It will be recollected that at the time of the Slesvig-Holstein war, one of the chief complaints which the Germans brought against the Danes was, that in the southern districts of the Duchy justice was not done to the German language in church, in school, and before the legal tribunals. Assuming these complaints to have been true—and that they had some foundation is tolerably certain—it is now clear that the Germans are determined to carry out the *lex talionis* in the northern districts. The German language is alone employed in church, in the law courts, and in school. In the last, the lessons in history and geography, according to the statements of Danish writers, are too often made the instruments of a political propaganda exceedingly painful to the feelings of the Danish parents. In the law courts, plaintiffs and defendants have to appear before judges and juries who cannot understand the language of either party. As a proof of what is taking place it may be mentioned that the Danish 'gymnase' at Hadersleben has lately been turned into a German gymnase amid the unctuous rejoicings of the German press. No effort was spared by the Prussian police to prevent signatures being attached to two monster petitions which at various times have prayed the King of Prussia to fulfil the 5th Article of the Treaty of Prague, while the King himself on the petitioners appearing at Berlin refused to receive them either personally or through his ministers, and the North German Parliament, not wishing to be outdone by their pious monarch, received the motion of the deputies Krieger and Ahlemann on the same subject with roars of derisive laughter.

Such, then, is an accurate statement of the present state of the North Slesvig question—a statement compiled not only from Danish but also from German sources. To their honour be it spoken, some portion of the German press, led by the 'Kölnische Zeitung,' has steadily protested against this policy of annexation against the will of the inhabitants, and has opened its columns to the declarations of numerous persons of authority in German politics. These efforts, however, seem likely to be fruitless, nor have the protests of neutrals been of more avail, for—scarcely known though the fact be—it is nevertheless true that in the middle of September Earl Granville addressed a message to Count Bismarck, pointing out that however just the susceptibilities of Prussia might have been when the fulfilment of the 5th Article might have seemed a concession to France, these susceptibilities could now no longer exist, and that the opportunity was a becoming one to play an upright and generous part in the matter. To this communication Count Bismarck did not even vouchsafe a reply, except by allowing M. de Thile to receive rather ostentatiously the protests of Kiel University and of the German club at Hadersleben against any fulfilment of the Treaty, either now or in the future. Such has been the conduct of German statesmen, discredited, it is true, with a small but independent portion of the press, but meeting with general support, and, it is unnecessary to add, the object of the special laudations of the literary and professorial class. One of the first and most distressing results of the predominance of the military spirit in Germany has been the contemptible abandonment of independent criticism by that very class to which perhaps it would have been most natural to look for it. Does King William wish to rob his neighbour's vineyard? Immediately there is at hand a Treitschke and a Wagner to throw a semi-scientific, semi-historical halo round the crime, and to quote precedents—those of Ahab and Frederic Barbarossa. Does Prince Bismarck wish to evade the performance of his written promises? M. Max Müller will be ready to prove that the Danes are Germans, or at least ought to be; while M. von Sybel, growing grotesquely satirical, will be ready to talk of the impossibility of drawing the frontier line round every Danish house. 'Out of the mouths of professors and pedants hast thou ordained praise'—might have been the New Year's greeting of the pious monarch to the minister of blood and iron.

What will be the influence of this state of affairs on the politics of the North? The answer implies some consideration of the Scandinavian movement and its prospects. Much like the kindred movement in Germany, the national movement in the three kingdoms had a double origin. It was the property of the publicist and of the poet before it became the object of the attention of the statesman. To do what Arndt and the literary men who were inspired by a kindred spirit had done in Ger-

many, was the object of M. Rosenberg and his literary coadjutors in Scandinavia. Availing themselves of the vague and floating feeling of a common nationality which had never entirely died out, they attempted—and not altogether unsuccessfully—to fan it into a flame. The uphill nature of their work cannot be better illustrated than by referring to the well-known fact, that the Danish national anthem commemorates a victory not over German or Russian but over Swedish foes. Their efforts soon received a powerful ally. The stream of European ideas brought the idea of nationality to the surface, and the very aggressiveness of the German movement almost perforce summoned up Scandinavianism as its natural antagonist. The dreams of the poet began to change into the practical scheme of the statesman. Public opinion in the North began slowly to wake up to the fact that an attack on one of the three kingdoms implied a probable attack on the others; that if Jutland and the islands were to become German, Scania would probably soon be Russian. The events of 1848 did much to stimulate the feeling. An alliance, timid and hesitating indeed, was formed towards the close of the first Slesvig-Holstein war, and would probably have been renewed in 1864 but for the untimely death of the late King of Denmark.

To what a distance the project of an alliance had recently been carried has lately received a remarkable illustration. M. Geffroy, whose writings in the 'Revue des deux Mondes' on all questions connected with the North of Europe are well known, has been recently furnished with copies of a correspondence which passed between high official personages in Denmark and Sweden during the sitting of the London Conference in 1864. He vouches for the authenticity of this correspondence, which is of singular interest as showing how the Scandinavian idea has penetrated even into those exalted stations in which selfish interests might have been most likely to thwart its progress.

The initiative in these negotiations was taken by the King of Sweden. In the month of April, 1864, while the London Conference was still sitting, he sent two letters through his Chamberlain M. de Quanten, the one to the King of Denmark, the other to Bishop Monrad, President of the Danish Ministry. We shall give the substance of the scheme of alliance which accompanied these letters in the words of the writer M. Geffroy:—

'Sweden, Norway, and Denmark were to form a federal union capable of at once realising a perfect community of political action and defence in foreign affairs. This community of action was where possible to be gradually extended to other branches of Government, wherever the interests of the three kingdoms were jointly concerned. With a view to the attainment of political unity a federal Parliament was to be formed to regulate a common budget for the expenses incurred by the union. The territories of the Danish monarchy which depended or should come to depend on Germany were to form no portion of the federal states. The Swedo-Norwegian Government was to oppose itself to the Danish portion of Slesvig being taken from Denmark, and at the conclusion of peace was to support its incorporation with Jutland.'

The project was in course of time communicated to the Swedish Ministers by M. De Gjeer and M. de Manderstrom, with both of whom, but more particularly with the former, it met with favour. Bishop Monrad, however, who throughout all the negotiations of 1864 appears to have shown a fatal perversity of temper, was on this occasion but too true to his character. Having gone so far as even to draw up a family compact regulating the future succession to the two thrones—the most difficult portion of the negotiations—he suddenly chose to destroy his own work by asking that Sweden should guarantee South Slesvig and even Holstein to Denmark, and that these German districts should form part of the proposed union. It is clear that the King of Sweden was justified in at once withdrawing from the negotiations when they had assumed so impracticable a character; but that they should ever have been carried so far is alone a most important fact, and one fraught with great consequences to the future of the North, for hitherto the great difficulty in the way of the Scandinavian union has been supposed to be in the conflicting claims of the royal houses. These difficulties are in no manner removed, as was popularly supposed a short while ago, by the marriage of the Crown Prince of Denmark with the Crown Princess of Sweden. The Salic law exists in the latter country. The King's brother Oscar and his children will inherit the Swedish crown under the present constitution.

It may then be safely assumed that the Scandinavian Union is one of the possibilities of the future. But the further question arises, supposing such a union to be made, will it be permanent? Do those causes which centuries ago broke it asunder almost as soon as made exist as they did at the period of the Union of Calmar?

No union can easily be formed between countries the civilisation of which is unequal,

and the political development of Denmark and of Sweden was exceedingly unequal at the time when the Union of Calmar was formed, the advantage being altogether on the side of Sweden, while whatever literary superiority could be boasted by the Danes was only the cause of yet greater estrangement between them and the unlettered Swedes.* While the fourteenth and fifteenth centuries had seen the steady decline of the power of the feudal nobility in England and France before the advancing power of the towns and of royalty, exactly the opposite of this process had been taking place in Denmark. A nation of serfs began to take the place of a nation of free proprietors; the power of the lay and clerical nobility grew greater day by day, while the influence of the towns went on diminishing. In the islands which were more thinly peopled than Jutland, personal servitude became the condition of the mass of the labouring classes in the fifteenth century. It was in them that the great proprietors established their residences, where they were less exposed to the revolts of the peasantry. The close proximity of Denmark to Germany, where the power of the feudal nobility never received the same severe blows as it had in England and France, explains this state of things; a testimony of the cause remaining in the comparatively modern German words, which had to be imported to designate these ideas which had hitherto been strangers to the Scandinavian mind. While the labouring classes were thus losing their social status, the competition of the Hanse Towns, supported by the enormous privileges accorded to them by the Danish kings, was ruining the burgess class, which, like the peasant class, began to cease to make use of its right of sending representatives to the assemblies at Nyborg. The loss of the right did not fail to follow the loss of its use. The nobility and the church were the only real powers in Denmark in the middle of the fourteenth century, the royal policy consisting in attempts to balance the one against the other. The condition of Sweden was totally different from this. Its constitution rested on certain quasi-federal institutions, the inheritance of a remote past. The whole country was divided into nations, and the king had to obtain the separate assent of each nation to his election. The Swedish land system remained allodial, nor could a property be alienated without the consent of the whole family. A certain number of heads of families formed the district, and a certain number of districts formed the nation, each of which had a chief. So courageously did these chiefs perform their duty in defending popular liberties that they have been called the 'tribunes of Sweden' by the native historians. Between countries the political institutions of which were so different it was impossible that a union should subsist. While the firm hand and vigorous mind of Margaret still directed the fortunes of the three kingdoms, it was possible for her work to last, but not afterwards. Her character, indeed, was one of the most remarkable which the North has yet produced. From her earliest infancy she had given evidence of a most extraordinary activity, both of mind and body. Her father said of her while she was yet young, that God had made a mistake in not making her of the male sex. Called by her subjects Margaret Sprenghaest, or horse-breaker, she has been named by modern writers the Semiramis of the North. A more correct appellation would have been Charlemagne of the North. Like him she succeeded in staying for a while the confusion that reigned around her, and on her death the darkness closed in over her work with almost as much celerity as it did over his. Charlemagne, says M. Guizot, gave civilisation time to breathe. The same—though in a more limited sense—might be said of Margaret, but her dream of a Scandinavian Union was destined to be as short-lived as the greater dream of the Universal Empire. Hard facts were too strong for both. The difference between the political constitutions of Sweden and Denmark has been already pointed out. The distrust with which the Danish ecclesiastics were viewed, owing to their being credited with anti-national ideas and a too great affection for Germany, was an additional cause of alienation. Now the clergy, owing to their wish to extend their influence in Sweden, were the great supporters of the Union, and this support was one of the chief causes of its falling into disrepute, while the manner in which fiefs were conferred upon foreigners, both Danes and others, soon made the lay as unpopular as the clerical nobility in Sweden. It became clear that the fall of the Union was a mere question of time. The edifice which Margaret had built began to crack even during her life, and after her death soon fell to pieces altogether.

Such, then, were the causes of the failure of the Scandinavian Union in the middle ages. It can hardly be said that these causes exist now. The literary and political progress of Sweden and Denmark is fairly equal. Something under the head of religious liberty re-

* 'Laicus, literatus tamen,' was the boasting epitaph of a Swede at this period.

mains to be desired in the former, but hardly a year passes by without the hand of the reformer making itself felt, while the present constitution of Denmark is one of the best which Europe can boast of, and indeed well calculated to excite some jealousy in the minds of its southern neighbour. The difficulties in the way of the Union lie rather in the difference of sentiment and of historical tradition, and in those conflicting family claims which have been previously alluded to.

Were then Denmark to feel assured of the future retrocession of Slesvig, with its ports and fortresses, along with the guarantee of future security which the retrocession would imply, it is possible that these latter considerations would prevail and that the Scandinavian Union would remain a dream; but the firmer the belief grows that Slesvig will never return to its mother country, the stronger does the feeling grow of the necessity of the Scandinavian Union as a weapon of defence against further aggressions.

Still there are other solutions of this question possible. Both in Sweden and Denmark, but especially in the latter, a strong particularist party exists, the head-quarters of which, strangely enough, are in Jutland, among the Peasants' Friends, who form the extreme radical and peace at any price party. It has been previously shown how the position of the Danish cultivator rapidly deteriorated about the period of the Union of Calmar from that bright state of things which popular tradition associated with the Valdemars, when each rood had its man, till serfs had almost universally taken the place once occupied by free cultivators. But since 1760, when Count Stolberg advised the emancipation of the cultivators on some of the royal estates, down to the present day, the counter process has been going on. In its origin largely influenced by the theories of the Danish economists, who, towards the close of the last century, took up the ideas of Quesnay and Turgot, it was pushed on by the reforms of such statesmen as Reverdil, Bernstorfe, and the unfortunate Struensee. The movement was indeed seriously checked between 1818 and 1826, but soon after that date, the formation of the Bondevenner party, to which many of the middle class belonged, deprived it of its purely social character, and gave it a real power in the Rigsdaag, while its cause was ably supported in the press by M. Hausen. The result has been the passing of a succession of Land Bills, leading to the rapid conversion of the Danish 'latifundia' into small properties. Peace and economy are the watchwords of the small proprietors. Both now and before the last war they opposed a spirited foreign policy, and they recently made their influence felt by the fall of Count Frijs' cabinet, which retired on a question of military expenditure. The Scandinavian Union they imagine would entail heavy taxation; and they are therefore strongly opposed to it, while the working classes in the large towns are its strongest supporters. Which of the rival parties will ultimately carry the day it is difficult to foresee; but it is probable that if the peasants prevail their victory will be but Pyrrhic, and that though they may succeed in averting for a while their absorption into a united Scandinavia, it will only be to be absorbed, at some future period, into a united Germany.

That the day is not distant when the German flag will float on the Cape of Skagen, and the Baltic be a German lake, is now the frequent boast of German military men, and of no small portion of its literary class. The Jutland peasants would do well to remember this. There are some persons in the North who still hope for much from the influence or the intervention of the Russian Emperor with the Court of Berlin on behalf of Denmark. Their hopes are based on the marriage which lately took place between the heir to the throne of all the Russias and the Princess Dagmar. It is indeed true that personal alliances have more weight in Russia than they now have in the more advanced nations of Europe, but signs are not wanting that, be that as it may, they will not go for much in the present instance. In the first place, the present Czar is known to have strong German sympathies; and even supposing his successor to be otherwise minded, it is highly improbable that he would risk the security of his dominions for an object which is not by any means Russian, more especially when it is recollected that Prince Bismarck has a grievance ready to hand when he wants to use it, viz. the position of the Germans in the Baltic provinces. Again, even assuming that the recent increase of power on the part of Prussia threatens to turn the Baltic into a German instead of a Russian lake, and that the latter power may consequently be induced to do all it can to sustain Denmark, it cannot be forgotten that there is another far easier method of balancing German power—that of further annexations from Sweden; and this would be strictly consonant with the hereditary policy of the Russian royal family. But, lastly, there are indications that Russia is looking for compensation not in the Baltic but in the Black Sea, that she is at present willing to accept Prussian aggrandisement as *un fait accompli*, and even to use it as a means in the furtherance of her Eastern policy at the expense of

Austria and England; so that the Scandinavian question in its remoter consequences touches even our own country. Having followed it thus far, we leave it for the present.

Art. IX.—1. *Histoire du Droit municipal en France sous la Domination romaine et sous les trois Dynasties.* Par M. Raynouard. Deux tomes. 8vo. Paris: 1829.

2. *Essai sur l'Histoire de la Formation et des Progrès du Tiers État, suivi d'un Tableau de l'ancienne France municipale.* Par Augustin Thierry. 8vo. Paris: 1853.

3. *La Commune, l'Église, et l'État dans leurs Rapports avec les Classes laborieuses.* Par Ferdinand Béchard. Paris: 1849.

4. *De la Décadence de la France.* Par M. Raudot. Paris: 1849.

5. *Histoire de la Terreur* (1792–1794) *d'après des documents authentiques et inédits.* Par M. Mortimer-Ternaux. Sept. tomes. 8vo. Paris: 1866.

These books are not of very recent date; but they are the better suited to our purpose. Imperfectly informed of the true history of the extraordinary events which have recently occurred in the capital of France, and still more ignorant of the future which awaits that country, it is to the past alone that we can look for light upon its condition and its destiny. The scenes of the French Revolution are not so varied or so diverse that we cannot trace in them the operation of uniform causes, and very often a repetition of the same results. Indeed, we think it can be shown that there is a marvellous resemblance between incidents which have occurred under very different circumstances and at a distance of three quarters of a century. These contemporary events give to the history of the Revolution in its earlier years an intense reality which brings the whole tragic spectacle again before us; the lurid light of another conflagration lights up the ruins of the ravaged city. For ourselves, we are free to confess that as one hour of ocular observation frequently teaches more than a century of books and written records, so the events of this spring have given fresh strength and truth to our knowledge of the whole Revolution. The figures of the Commune and the Reign of Terror start once more from the canvas and live—degenerate, indeed, contemptible, obscure by the side of their nefarious prototypes, but animated by the same passions, and performing with unabated fury the same parts. We turn then to these records of the past, to seek in them the explanation of the present. M. Raynouard and M. Béchard are two of the writers who have treated most ably of the municipal institutions of France; M. Augustin Thierry is perhaps the most learned and conscientious of French historians, and M. Mortimer-Ternaux is a trustworthy narrator of the Reign of Terror, because he writes not for effect but for truth, and every statement is corroborated by authentic and original documents of the period. We have already noticed the two first volumes of his work in our review of Louis Blanc's 'History of the Revolution' (Edin. Rev. vol. cxviii. p. 51), but since then it has been continued, and it well deserves further attention.

The military disasters of France in August last were followed, as it was evident they would be, by a political revolution; for the legislative body existing on the 3rd September was restrained by the opposition of the Empress from taking the necessary steps to meet the emergency by any legal provision. The consequence was that what had not been done by law was done by force; and on the 4th September, a self-constituted Government, deriving its principal strength from the mob of Paris, and composed of the leading members of the late Parliamentary opposition, installed itself at the Hôtel de Ville. Pressure from without, in the shape of the Prussian invasion, gave to this Provisional Administration a slight degree of stability; it assumed the modest and appropriate title of the Defence Government; M. Jules Favre was enabled to negotiate, though with signal incapacity, at Ferrières; General Trochu retained for some time, through his high moral qualities, a degree of respect to which his military talents hardly entitled him; M. Gambetta proceeded in his balloon to rouse the nation by revolutionary means; and M. Picard succeeded in rescuing his colleagues from the first insurrection of the Commune de Paris on the 31st October. But whilst these authorities carried on with indifferent success their hopeless contest against the organized military power of Germany, they were themselves training in the streets and suburbs of Paris an army still more formidable to themselves and to France. The first step of the Government of the 4th September had been to give arms to the people, and whilst the siege of Paris lasted the whole male population was drilled, prepared to fight, and taken into the pay of the State. Against the Ger-

mans, these raw and ill-disciplined troops were powerless: but upon the conclusion of the peace, M. Jules Favre having most unwisely refused the offer of Count Bismarck to disarm the National Guard of Paris, the city remained in the possession of legions of armed citizens, well provided with rifles, cannon, and ammunition. Never at any period of the entire Revolution had the insurrectionary forces of Paris been so well prepared for a mortal struggle. They were in possession of all the stores accumulated for the defence of the capital against a siege of unprecedented magnitude. The population was exasperated by deception and humiliated by defeat. All the ordinary pursuits of life and industry had been suspended by the siege and superseded by military service. Large numbers of the floating revolutionary population of Europe flocked to Paris: larger numbers of the tranquil and terrified residents in that devoted city had hastened to escape from it. It seemed as if the moment, long foreseen in the fevered dreams of the democratic regenerators of mankind, had actually arrived, and that the Universal Democratic Confraternity of Nations was about to be enthroned in the first city of continental Europe. The experiment has actually been made; and deeply as we deplore the ruin and bloodshed caused by this protracted contest, it cannot be denied that some good results may be anticipated from this demonstrative example of what the Government of the Commune is worth. We have no desire to exaggerate either its follies or its crimes. We will acknowledge that it was at first less sanguinary and less addicted to plunder than its enemies had anticipated. But it has been supremely arbitrary and supremely stupid. In the name of liberty, it destroyed every condition of freedom: in the name of the common interests of the city, it reduced that city to the depth of ruin, drove away the wealthier classes and pauperised the lower, extinguished all productive industry, frightened away credit and capital, and, at last, food itself would have been wanting if the population had not been enormously diminished. On economical principles alone, putting aside its military and political absurdities, the Commune of Paris could not fail to reduce one of the first cities of the world, in a few months, to a wilderness and a solitude. The interruption of productive labour and the cessation of the means of exchanges, by which the commodities indispensable to the support of life are procured, must bring about this result. An earthquake, or the eruption of a volcano, would not be more fatal and scarcely more prompt in its effects. For as the wants of all classes of society in great cities are necessarily provided for from day to day, and cities themselves produce none of the first elements of life, the moment the mechanism of their highly artificial system is stopped they begin to perish. Immense numbers of human beings are driven to seek the means of subsistence elsewhere. All that constitutes the strength and wealth of a great capital—the presence of the supreme rulers of the State, the authority of law and justice, the studious population of the schools, the galleries of art, the pursuit of pleasure, the influx of strangers, the relations of society, the steady financial circulation which is the life of trade, the power of universal exchange, the investment of capital, the employment and security of labour, and all the myriad ramifications of demand and supply by which the wants of mankind are provided for—all these things may cease to be. Under the terrible stress of war and revolution, we have seen them cease to be: but the Commune has far more to answer for than the arms of the enemy, for what the German forces overthrew was but an army and a state; the revolution of the Commune shook to its foundation the whole structure of society. The creed of the members of the 'International Association' is simply this—that the old social order must be destroyed, and destroyed by their hands. A power formed by the overthrow of law is itself devoid of law. The members and servants of this ephemeral government were themselves ephemeral, rising to the surface from the dregs and bursting when they reach the outer air, like bubbles from the depth of some boiling pool. If any higher intelligence existed to direct the acts and policy of the Commune, it was mysterious, secret, and carefully withdrawn from observation and control. Meanwhile the people, in whose name these things were done, were incited, bought, or compelled to spend their lives in a hopeless and desperate resistance, for some cause which has not been defined, and some leader whose very name is unknown. Victory itself over such antagonists leaves it equally difficult to conciliate and to subdue them; they can only be destroyed. If they began as fanatics, they ended as incendiaries, assassins, and thieves.

As a means of Government the Secret Committee of the Commune was odious and contemptible, but as an engine of social war it was terrific, for in the frenzy of despair it let loose all the powers of destruction. We shall not attempt to describe in detail what no words have yet been found to describe—the appalling spectacle of Paris as it

appeared in the month of May in this year, an awful prelude to the most tremendous catastrophe in the history of man. The streets and avenues looked large and vacant, for in place of the gay and busy crowds once wont to throng them, a few bands of rude and drunken soldiers made the solitude more desolate. Half the combatant army of the Commune was believed to consist of fugitives, adventurers, and criminals from every sink and every jail in Europe. Their courage was inflamed by liquor and rewarded by debauchery. Such indeed was their state of physical gangrene that every blow was fatal, and the wounded were outnumbered by the dead. These demons of misrule held entirely at their mercy all that still existed in the city. Terror was everywhere. Terror reigned. A mysterious power, whose source was as unknown as its name, seemed to direct at will the fury of these myrmidons, and certainly carried on an intrepid resistance without the walls. But they were the ministers of public and private vengeance. Whatever spoke to them of the obligations of religion was an object of abhorrence; whatever spoke to them of the past glory of their country was an object of scorn; they polluted the churches, they trampled on the Cross, they cast down the Column; they defied alike their country and their God; insomuch that those of the city who witnessed these things, exclaimed in their anguish, that assuredly the Ancient Curse, the curse of Rome, of Jerusalem, of Babylon, had fallen upon themselves and upon their children.

But the darkest forecast was exceeded by the doom and destruction of the chief buildings in that great capital. The world had yet to learn what crimes may be committed by a democracy without veneration and without law. In that supreme paroxysm of blood and fire, the passions of man did their worst. In those dreadful days the Revolution still triumphed; but its triumph annihilated the very seat of its own power. All ties and all traditions were sacrificed. Ruin passed in a torrent of fire over the city. The murder of the hostages—guiltless men torn from the altars and the seats of justice to perish for the guilt of others—was a crime equalled only by the martyrdom of the Carmes and the Abbaye in 1792; and it was expiated by a sanguinary and indiscriminating massacre of the insurgent populace. If any doubt or disbelieve the tremendous force of self-destruction which lies in the lower strata of great communities and may burst forth with volcanic fury, this example is given them to be a record for ever. If any can witness such events and such calamities, doubting and disbelieving that the world's history is governed by eternal justice and almighty power, 'neither will they be persuaded though one rose from the dead.'

> 'Well roars the storm to those that hear
> A deeper voice across the storm,
> Proclaiming social truth shall spread
> And justice, e'en tho' thrice again
> The red fool-fury of the Seine
> Should pile her barricades with dead.
>
> . . . . . .
>
> The fortress crashes from on high,
> The brute earth lightens to the sky,
> And the vast Æon sinks in blood
> Encompassed by the fires of hell.'*

Such was the climax of the history of the Commune of Paris.

Why is it then that the very name of the Commune of Paris is a name of terror and turbulence, whilst that of the City of London is synonymous with good order and ancient unambitious civic administration? How comes it to pass that municipal freedom and government either exist not at all in France, or exist for purposes, and in a shape, incompatible with the very existence of the State? When an Englishman is told that the citizens of Paris were contending for the right of electing their own magistrates, and for the civic freedom which the Empire denied them, he naturally sympathises with a cause so nearly allied to his own rights and experience. But in no respect are the two countries more widely different than in the nature of their municipal institutions. That difference is vast and important enough to account for much of their entire political and social history; in order to sound it, it is necessary to go back to the very root of their social constitution.

The answer, then, we have to make to this question, is that it may be shown from the history of the French people that they have never possessed or practised, either by law or tradition, those established municipal rights of self-government which have been the basis of freedom and civilisation in the chartered cities and municipalities of Italy, Germany, Flanders, England, and even Spain; that what were termed the municipal rights of France have served alternately, either to disguise the action of the central power of the State, or to disintegrate the kingdom; that the municipal forces, which have at times broken out with revolutionary violence in French history, have commonly originated in spontaneous military movements of the citizens, placing them in opposition to the law and not in subordination to

* Tennyson's 'In Memoriam,' cxxv.

it; lastly, that the tendency of these armed Communes has invariably been to overleap the proper bounds of municipal authority, to challenge the State itself by claims of sovereignty, and in the end to make war upon it. The Communes of France have alternately proved to be instruments of despotism or centres of sedition. The all-important element of political life which municipal freedom can alone supply, by attaching men to the conduct of their own public affairs, and by educating them in the discharge of public duties, has in France been wanting for centuries; and this may not unreasonably be regarded as the chief cause of the repeated failures of the French nation to establish a system of constitutional government. If these propositions are true and can be established by historical evidence, they appear to us to throw a beam of light upon the history of France, and more especially upon the history of her great Revolution from 1789 to the present day. The Commune of Paris of 1871 is no novelty in the annals of France. It is the recurrence of a well-known drama—burlesque, arbitrary, desperate—when acts of government become the acts of maniacs, and all the horrors of bloodshed, ruin, fire, proscription, anarchy, are let loose upon the great city by those who call themselves her chief magistrates. We propose to trace the mischief to what we conceive to be its source.

The municipal law of France, as described by M. Raynouard, was based upon the ancient right, established by the legislation of the Roman Empire, which authorised the inhabitants of a city to choose their magistrates and to administer their affairs. The oldest cities of France were in fact the municipalities of Gaul. They were copies on a small scale of Imperial Rome; and in this shape they were anterior to the grant of any municipal charters by the Crown, though such charters were subsequently granted in and after the twelfth century to define their powers or confirm their privileges. Thus the cities of Perigueux, Bourges, Marseilles, Arles, Toulouse, Narbonne, Nîmes, Metz, Paris, and Reims were all undoubtedly Roman *civitates* governed by consuls, or a senate of *boni homines*, elected by their fellow-citizens. But their rights far exceeded what are now understood by municipal or civic franchises: they were in many respects sovereign communities; they levied troops, made peace and war, concluded treaties, and administered justice in their own name. Thus, for example, it was provided by the constitution of Perigueux that the 'civitas sit libera, et nullius jurisdictioni subjecta,' and that 'ad voluntatem vel dispositionem consulatûs ibit universitatis exercitus et ducetur.' The earliest act of homage of the citizens of Perigueux to the kings of France took place in 1204.

The city of Paris never solicited or accepted any charter of incorporation, and M. Raynouard argues (we think unwisely) that she stood in no need of any such safeguard. 'Before Cæsar's conquest,' says he, 'Paris had enjoyed municipal liberty. Her *Nautæ* authorised or at least protected by the institutions of Rome became her most useful citizens. They had influence enough to unite the rights and interests of the municipal magistracy to the interest and right of their powerful company, and the symbolical Galley, which still figures in the city arms, as well as the old title of Provost of the Water Traders (*Procurator mercatorum aquæ*), borne by the chief magistrate, attested this change.' 'Most of the cities of France,' he adds, 'never had charters of incorporation. Their own municipal right sufficed to them. They claimed no other safeguard.' It was a *jus ante omnia jura natum*, or, to use an English expression, it was the common law of the country.

From this definition of the municipal rights of France we draw two inferences: *First*, the Crown, when not bound by charter, could, and did, revoke the municipal liberties of the people, when a city happened to displease the court, as, for instance, Philippe de Valois suppressed the corporation of Laon, and Charles VI. suspended the municipal government of Paris in 1382. *Secondly*, the powers of corporations not being defined by charter but by usage, were, so to speak, self-evolved; they were sometimes narrowed and sometimes extended to excess; they were not under the control of a judicial authority or even of the legislature; therefore in times of subjection they were contracted within the limits of servitude, in times of revolution they expanded to absolute sovereignty.

It might be shown, by a careful examination of the principles and history of the Gallo-Roman and the Teutonic or Anglo-Saxon municipalities, that there is this radical difference between them—the former tending to a partition of sovereignty, and consequently to the alternative of federalism or civil war, as was exemplified by the Italian republics of the Middle Ages and by the cities and provinces of France until they were overpowered and absorbed by the Crown—the latter aiming at no sovereignty at all, but confined to the discharge of strictly municipal functions in loyal subordination to the State from which they drew their powers. Dr. Brady has shown, in his

Essay on English Boroughs (which is the best authority on the subject) that 'all free-burghs in England *had their beginning from charter;* for a free-burgh, in the true sense of the word, was only a town of free-trading, with a merchant guild or community, without paying toll, pontage, or other royal dues.' The English borough charters first made the citizens free men; then conferred liberty of trade, fairs, and markets; then acknowledged the power of assessing the tenths or fifteenths granted to the Crown by Parliament; and they were called upon in many cases to elect and return members to Parliament—a privilege which was regarded as onerous. But of direct political or executive power there is no trace whatever in their history; and this essentially distinguishes them from the communes of France.

This distinction has in fact been drawn with prodigious erudition and searching discrimination by M. Augustin Thierry in his well-known letters on the History of France and in the 'Tableau de l'ancienne France municipale,' annexed to his 'Histoire du Tiers Etat'—a work which well deserves to be studied as a master-piece of historical criticism. M. Thierry has shown in his writings that the municipal constitutions of the towns of France were extremely diversified. They retained traces of the ten or twelve states which were ultimately absorbed in the unity of France; and he divides them into distinct classes or zones. In the towns of the south the municipal institutions were of Roman origin; their magistrates were styled Consuls; and they enjoyed a very high degree of sovereignty and independence, extending, says Thierry, 'even to the plenitude of a republican constitution.' In the north the cities were formed by the association of guilds, under the pledge of a civic oath; and their condition resembled that of the free towns of Flanders. In the central regions of France the sovereignty of the communes was more limited. In Normandy and Maine they resembled the early municipalities of England. In the cities of Eastern France, which had formed part of the Germanic Empire, the Teutonic form prevailed—that is, their powers were restricted, because, says Thierry, 'the emperors of Germany were systematically hostile to municipalities created by the revolutionary mode of insurrection or by that of mutual associations.' They were in fact corporations like our own, exercising no powers but those which had been conceded to them by the Crown. They were expressly inhibited from framing or claiming any rights 'sine domini sui assensu.'* It is impossible for us, in this place, to follow out in detail this very intricate subject. For our present purpose, it suffices to point out, in the words of Thierry, in his essay on the 'Affranchissement des Communes,' that 'les plus anciennes et les plus considérables *s'établirent spontanément, par insurrection,* contre le pouvoir seigneurial;' their very basis was insurrection; and so it has been throughout the history of France. It is obvious that this fact explains, on the one hand, the tendency of the communes to disintegrate the State, and, on the other, the extreme jealousy and hostility of the State towards municipal institutions of so formidable a character. These two conflicting elements appear to subsist down to the present day, and the recent civil war between the Commune of Paris and the representatives of the nation is the last manifestation of them.

To quote at once a striking example of this French conception of municipal liberties:—at the very outset of the Revolution, on the 23rd July, 1789, when the name of the city of Paris was heard for the first time in the Assembly after the taking of the Bastille, Mirabeau exclaimed:—'Municipalities are the more important as they are the true basis of public happiness, the most useful element of a good constitution, the every-day resource of society, the safeguard of every home, and, in short, the only mode of interesting the whole people in the government, and of extending rights to all classes of the community.' But upon Mounier's asking whether he proposed to leave each town to frame its own municipal institutions (*de se municipaliser à sa manière*),—adding that he thought it would be too dangerous for the assembly to create states within the State, and to multiply sovereignties,—Mirabeau replied emphatically that his intention was that the Assembly *should not* organise the municipalities; that every corporation ought to be subject to the great principles of national representation; but, provided these were complied with, the details of municipal government ought to be left to the townspeople to settle for themselves, as they please. We shall shortly see the fruits of this principle.

It should also be borne in mind, though this part of the subject is too extensive to form part of our present inquiry, that the old constitution of France was remarkable for its provincial Estates and provincial Parliaments. In thirty provinces which were successively annexed to the Crown of France in six centuries and under fifteen kings, the old constitutional representation of the peo-

* See the 'Henrici regis sententia contra communiones civitatum,' in Pertz' Monumenta Germanica, tome ii. p. 279.

ple by the three Estates existed. These assemblies all survived till the sixteenth century; it was not until the middle of the seventeenth century that the system of government by royal intendants was established over the generalities of France; and down to 1789, eight provinces, comprising a quarter of the kingdom, were still Pays États and had preserved some traces of provincial independence. But this fact, though of great importance to the history of France, is distinct from the proper civic or municipal rights of the towns, to which we are now addressing ourselves. In the *plan de réforme*, secretly prepared by Fénelon in 1711 for the Duc de Bourgogne, the revival of the Provincial Estates, on the model of the Assembly then still subsisting in Languedoc, was proposed for the regeneration of the country. Upon the accession of Turgot to office the same idea was resumed in his 'Mémoire au Roi sur les Municipalités' with greater precision. Each parish was to have had an elective board for the purposes of rating, roads, and the relief of the poor; the votes were to be in proportion to the rateable income of the tax-payers. Necker, who succeeded him in office in 1776, zealously adopted and partially applied these views, and in 1778 an edict was passed to revive the provincial Assembly of the province of Berri. It was afterwards extended to Dauphiné, Montauban (Haute-Guienne), and the Bourbonnais. These experiments were highly successful; but it did not escape the penetration of Necker that there was great danger of these bodies *aiming at political power*, and in a secret memoir to the king written in 1778 he used these remarkable words:—'Ils s'y prennent comme tous les corps qui veulent acquérir du pouvoir, en parlant au nom du peuple, en se disant les défenseurs des droits de la nation. . . . il faut donc se préparer à des combats qui troubleront le règne de votre Majesté, et conduiront successivement ou à une dégradation de l'autorité ou à des partis extrêmes dont on ne peut mesurer au juste les conséquences.'*

In our own political constitution there never was anything corresponding to these provincial assemblies. England was represented and taxed from an early period of her history by the Parliament of the realm for affairs and charges of state, and by chartered civic corporations for municipal purposes. The Provincial Estates of France were an intermediate representative power; they were long of great utility and importance to the freedom of the nation; but they never acquired the authority of the Parliament of England, because the States-General of the kingdom (which consisted of delegates from the Provincial Estates) were rarely convoked; nor did they supply the want of true municipal government, because they aimed rather at a share of sovereign power. Indeed they were used as a substitute for the States-General, and as a check on the democratic spirit of the towns. Thus the Dauphin Charles V. felt the necessity of resting his authority on the States of the Langue d'Oc and other provinces against the States-General of Paris and of the Langue d'Oil. He successfully played off these provincial assemblies, which are essentially aristocratic in their character, against the turbulent democracy of the Paris Assembly, which broke out in the daring enterprises of Marcel and the trades' unions of that age; hence arose the extension and even the general adoption of Provincial Estates in all parts of France.*

It is curious to trace so far back as the fourteenth century the germs of that latent Federalism of France, which the absolutism of the Crown for the last two centuries was supposed to have annihilated, and to mark, even at that remote period of history, indications of parties not very dissimilar from those which at this moment divide and distract the French nation. A parallel may be drawn between the condition of France in 1356 after the loss of the battle of Poitiers, and the condition of France in 1871 after the capitulation of Sedan. In both instances the French army was destroyed, and the sovereign taken prisoner. King John was removed to Windsor, where he was received with royal honours. Such was the terror inspired by the victorious forces that the French peasantry fled at the sight of an English man-at-arms. Whatever remained of France was within the walls of Paris where Stephen Marcel, Provost of the Trades, still held his ground and dictated terms to the Dauphin. The red and blue hoods of the citizens then first appeared in political history, for those are the colours of Paris, one day to be allied with the white cockade of the Bourbons in the tricolor of France. The

* See M. de Lavergne, 'Assemblées provinciales sous Louis XVI.,' a book of extraordinary originality and interest, which gives from authentic sources a most accurate picture of the provincial and municipal condition of France just before the Revolution.

An excellent Memoir on the History and Organisation of the Provincial Estates of France was also read by M. Laferrière to the Académie des Sciences morales et politiques in 1860, and is published in the eleventh volume of the Transactions of that Academy.

* Laferrière's Mémoire, p. 355, and Michelet, Histoire de France.

power which conceived and imposed the conditions of the celebrated ordinance of 1356 was essentially the municipal, though revolutionary, strength of Paris. 'The dream of Etienne Marcel and his friends,' says Thierry, 'was a confederation of sovereign cities having Paris at their head and governing the country through a diet under the sovereignty of a king.' Those words might almost have been written yesterday; but, no doubt, the designs of Marcel embraced all the chief ends of constitutional government, accomplished by the democratical dictatorship of Paris acting by means of terror, in the name of the common good, over the rest of France. The struggle lasted nearly three years. The Dauphin's chief officers were slain; the Dauphin's troops driven out of Paris, but the movement failed because Paris stood alone against the forces of the kingdom, and the discouragement of the people.* 'Paris,' says M. Michelet, 'se chargeait de gouverner la France. Mais la France ne voulut pas.' The Jacquerie broke out in the provinces. Marcel himself was overpowered and killed by the partisans of the Dauphin, and in him perished, to use the somewhat hyperbolical language of the same historian, 'the representative of Paris against the kingdom, and the last champion of a narrow communal patriotism.' The treaty of Bretigny followed, and ended the war—the most disastrous compact to which a Frenchman ever put his name, until that which was signed the other day at Versailles.

But we revert to the more limited subject of the civic institutions of the country. The expression of Mounier in the National Assembly, that the towns were to *se municipaliser à leur manière*, is singularly descriptive of their history. Whenever they have played a considerable part it has been as the leaders of a military sedition, directed against the supreme power in the State. In the insurrection of Marcel (1356) just referred to, M. Michelet says:—'On sent la verve révolutionnaire et en même temps le génie administratif de la grande Commune.' We know not how far the latter member of the sentence is applicable at the present day, but the 'verve révolutionnaire' has not been wanting in any age, and thus it came to pass that the municipality of Paris was viewed with dread and disfavour by the Crown. Thus in the earlier years of the reign of Charles VI., before the gay young soldier had sunk into a gloomy monomaniac, Paris rose in one of its secular tumults, the Maillotins * pillaged the abbeys, broke open the prisons, and defied the King; but the young conqueror of Roosebeke was not slow to turn his victorious arms against his own capital, and rode the armed citizens down with merciless severity. Heavy requisitions were levied on the richer classes; heavier taxes were imposed on the sale of all commodities. The liberties of the city were crushed by ordinances, 'statuentes' (says the monk of St. Denis) 'ut officium præposituræ exerceret qui regis auctoritate et non civium fungeretur.' 'Il n'y avait,' says M. Michelot, 'plus de ville, plus de prévôt, plus d'échévins, plus de Commune de Paris.' The suspension lasted for twenty-nine years, and when the liberties of the city were at length restored in 1412, a fresh explosion ensued. The Duke of Burgundy, who reigned under the name of his unfortunate nephew Charles VI., was disposed to favour and rely on the popular party, and by his influence the old municipal rights of Paris were restored in that year—'liberè urbis antiquam libertatem restituentes,' were the words of the royal decree. The first result of popular election was to place the butchers of the great butchery of Ste. Geneviève at the head of the corporation, supported by their formidable band of journeymen, the Écorcheurs, or flayers of the shambles. Simon Caboche was the hero of this fresh municipal revolution; but although the University took part with the butchers, and the Bastille itself was attacked, as it was in 1789, the affair ended by a compromise.

So again, to quote another of the 'great days' of Paris when the Duc de Guise entered the city on the 10th of May, 1588, against the express commands of his sovereign, he was received with tumultuous applause by the Commune, which became from that moment the heart of the League. The irresolute king hesitated to act against his formidable vassal. The next day the burgher-guards began to go over. The fierce populace collected on the Place Maubert,

* Marcel's insurrection ended in August 1358. In November 1358 it was for the first time declared by the Crown that no Commune could be constituted without the royal assent, and that all communal and consular towns were *ipso facto* under the Crown as their feudal superior. The abuse of municipal power led as usual to its restriction. Mr. Hallam, usually so accurate, does not appear in his 'Middle Ages' to have taken a complete view of the independent origin of municipal freedom in France in the twelfth century. Much has been discovered on this subject since the 'Middle Ages' was written, and M. Augustin Thierry may be called the Hallam of France.

* The *maillets* they bore were strong iron maces or mallets, whence their name. The City of Paris sent forth a well-equipped army of 30,000 men, who met the King before Montmartre.

and in a few hours barricades were thrown up across the principal streets. It was the identical story which has since been so often repeated—thrice in our own recollection. The royal troops were paralysed by inaction. The people triumphed. 'You must give me these soldiers as a present, my friends,' said Guise to the townspeople. And so the Swiss, French, and German troopers and infantry were marched out of Paris, led by an officer of the suite of Guise, who commanded them with a cane. The king fled; and Paris remained for about six years in the hands of an insurrectionary government. The Secret Committee of the League and the authority of the Seize were, as has recently been pointed out by an able historical writer, the prototypes of the Commune of 1792 and the Committee of Public Safety; they have again been reflected in the events of the present year. The pulpits and preachers of the League were the clubs and journalists of the sixteenth century. Fanaticism of a different kind has succeeded to the frenzy of religious bigotry; but it is not less fatal to the prosperity of the city and the liberties of the people; for once more, though from different causes, the forces of the nation have been compelled to besiege, attack, and reduce the capital. This military character of the French commune was one of its peculiar features, and adhered to it as long as it retained any real independence. Thus one Millotet, who was *Vicomte Mayeur* of the city of Dijon, and has left memoirs, relates that when the Duc d'Épernon returned from the siege of Bellegarde in 1651, this gallant magistrate met him at the gates of Dijon, armed at all points, with a feather in his cap and a pike in his hand, with 6,000 citizens behind him, all well armed, good men and true. His address to the general was, 'Monseigneur, you perceive by the condition of the inhabitants of this place that they are ready to lay down their lives for your service.' The mayor was followed by a guard of twenty-four men-at-arms, and he had his own city artillery, which Louvois only succeeded with great difficulty in wresting from the corporation.

The influence of the Crown in France was constantly employed to lower and destroy the municipal franchises of the towns. Louis XI. was a ready granter of municipal charters, but M. de Tocqueville, who had carefully examined those which were bestowed on the towns of Anjou, Maine, and Touraine, affirms that they were all conceived in a spirit hostile to the rights and dignity of the people. The king used the middle classes to pull down those above them and to crush those beneath them. He was equally anti-aristocratic and anti-democratic; heaping titles of nobility on the principal persons of the towns to lower the value of rank, and destroying the whole popular and democratic character of the administration of the towns, by restricting the government of them to a small number of privileged families.* Nevertheless, down to nearly the end of the seventeenth century, some of the towns of France continued to be small democratic commonwealths, electing their own magistrates, and proud of their independence. But in 1692, a still more fatal blow was struck at municipal freedom. The civic offices were then regularly put up for sale, that is, the king sold in each town to certain inhabitants the right of governing their townsmen. Subsequently these purchased rights were not unfrequently resumed in order to be resold to other competitors. This was done seven times in eighty years, and done for the mere purpose of raising money. These municipal officers were usually unpaid; but the mayor was frequently ennobled; the échévins enjoyed a certain civic rank, and the whole corporation was indulged with exemptions from taxation and the billeting of troops, with an allowance for wax-candles, sometimes with apartments. A strict line of distinction was drawn between the *notables* of the town and the *burghers* or tradesmen. The notables were almost all public functionaries. The whole corporate body was wholly under the control of the Royal Intendant. Thus at Angers, it was expressly provided that 'the corporation never consults the inhabitants generally, even on the most important subjects, except in cases in which it is obliged by special orders to do so.' M. de Tocqueville has left us a masterly sketch of the municipal government of France during the eighteenth century, in the third chapter of his last work on 'France before 1789.' But it is too long to quote, and too full of matter to be abridged; we must content ourselves with referring our readers to it.

But badly as the municipal institutions of France had been treated by the old monarchy, they fared far worse under the Revolution. The National Assembly was pleased to regard the privileges and traditional rights of the towns as aristocratic privileges; these, therefore, were swept away at a blow. The Convention subsequently confiscated all their property by the law of 1793, and forbade them to exchange, or borrow, without the assent of the Government. The Communes of France have never recovered that measure, although one of the first acts of the Constituent Assembly was to

* Tocqueville, 'France before 1789,' note S, p. 428. See also chapter iii. p. 75.

pass a law for the regulation of all the municipalities of France, from the hamlet to the city, on one identical plan, followed by copious instructions (Law of 6th December, 1879); and four months afterwards (May, 1790), another law equally minute was passed for the organisation of the municipality of Paris. These laws contained in them, as we shall presently show, the fruitful germs of political and social revolutions; but they did not create anywhere a true municipal government. M. Béchard wrote in 1849:—

'Our Communes are the shadows of what they were in the days of absolute government, for they have been stripped, in the name of liberty, of everything but their name. The Minister of the Interior is the *ex officio* tutor and supreme administrator of the 37,000 communes of the kingdom, and all public establishments depend on him; that is the summary of our municipal law.

'The administrative monarchy of the last thirty-four years has effaced the last vestiges of municipal government in France.' (*Béchard*, p. 25.)

For, to quote a speech of one of the representatives of the people in the Council of Five Hundred, which conveys the doctrine of the Revolution on the subject:—

'France is a Republic, one and indivisible. It is to be borne that this Republic, which is formed of the combined will and interests of the nation, should comprehend a multitude of endowed corporations, interposed between the State and its members, so as to subdivide the great association in as many petty governments as there are villages and hamlets, and to foster that fractional and municipal spirit which the Constitution has sought to destroy? We have done all we could to extinguish all these bastard authorities.'*

Such was the view of municipal freedom and independence taken by the men who called themselves the champions of liberty and of the immortal principles of 1789. They, like their predecessors, confounded the proper functions of municipal government with a subdivision of sovereign power; and they opposed the exercise of civic rights with as much energy as the boldest supporters of despotic authority. *Ex unitate libertas* was the motto of the Revolution, and it held that provincial and municipal independence only led to civil war, anarchy, and servitude. It is true that events had occurred to give some colour to this delusion. The root of the matter seems to lie in the fiftieth article of the law of 1790, on the municipality of Paris, which is in these words:—"Elle aura deux espèces de fonctions à remplir: les unes propres au pouvoir municipal, *les autres propres à l'administration générale de l'État, qui les délègue aux municipalités.*' The moment the municipalities were thus converted into political bodies, exercising a fraction of direct sovereignty, and even superseding the executive authority of the Crown, they became not the useful servants of the State, but its most formidable antagonist. Moreover, there has never existed in France, as far as we can discover, anything analogous to one of the most essential parts of our own constitutional system, namely, the power of the Court of Queen's Bench to restrain by judicial authority the municipal and executive officers of the Government within the limits of their proper functions, compelling them to do their duty, and allowing them to do no more than their duty. It is this judicial authority which determines in England the place and function of each institution; but in France, especially in modern France, no traces of that controlling judicial power are to be discovered.

No sooner was the municipal law of 1790 passed, than the whole nation was called upon in every commune, not only to establish its own local government, but to create by election a fraction of the entire administration and executive system of the kingdom. Whatever had hitherto been done by the officers of the crown was henceforth to be done by the elect of the people—magistrates, taxgatherers, militia officers, judges, even parish priests, were all to spring from the same source. The Commune had superseded the king; and in every commune the revolution—with all its clubs and its cabals—its hatred of the past and its dreams of the future—was implanted. Hence the Revolution was everywhere, and the reign of anarchy prepared the reign of terror.* This fact of the subversion and the absorption of all executive authority by the Communes of France in 1790, has not, we think, been dwelt upon as much as it deserves. It is now, in our eyes, the one decisive fact that accounts for everything else. It tore the sovereignty of France into thousands of

* Speech of M. Delpierre quoted by Béchard, p. 63.

* We have before us in Frochot's Memoirs, recently published by M. Louis Passy, his grandson, a faithful account of the little commune of Aignay-le-Duc in Burgundy, and of the city of Dijon, during the Revolution. On a small scale, every one of the elements of disturbance existing in Paris was reproduced, and with precisely the same results. Probably the same thing took place in every part of France, for as Mirabeau had predicted, 'the constitution of the executive power was such, that the total disorganization of the kingdom could not have been better devised.'

fragments; the law itself was left without instruments and without protection; nothing but a despotic and revolutionary power of irresistible force could have restored authority over chaos. The inevitable consequence was a violent reaction. The Convention itself, by the organ of St.-Just, declared that the exercise of municipal functions and revolutionary power imposed on the Communes two incompatible duties; and proceeded to restore the authority of the government by the decree of the 4th December, 1793, and by a law of the 16th April, 1795. The same policy was completed by the Constitution of the year VIII. and the First Consul. But with their exorbitant authority the Communes of France lost their independence, and became, what they have ever since continued to be, the slaves and tools of the central government.

We think it has been shown by what has already been said, that the municipal institutions of France have never enjoyed or received their proper functions, namely, the independent control of local affairs by elected magistrates in subordination to the general laws of the kingdom; and that whatever power they did possess in the middle ages had been gradually subverted by the Crown, and was finally destroyed by the Revolution. But one of the effects of the destruction of legitimate municipal power has been that, in the absence of a traditional and organised control, based on usage and law, the popular forces of the Commune have made themselves felt in a violent and irregular manner at all periods of social commotion, that they have at once assumed military power, and usurped a supreme authority in direct opposition to the sovereign will of the nation and the State. Some examples of these insurrections we have already cited from earlier periods of French history. But by far the most signal and instructive instance of this tendency is to be found in the Revolution itself, which, from 1789 to the present day, has periodically convulsed the French nation. Lord Acton has remarked in his admirable lecture recently delivered at Bridgenorth on the late war, which is a masterly and impartial summary of these great events, that 'one of the traditions of the French Revolution is the institution of a permanent and irresponsible body *holding the power of insurrection*, and using it for the purpose of controlling the organised authorities—a secret despotism veiled by constitutional forms. At Paris this office was discharged by the Commune.' We even venture to assert that this is the leading and dominant fact of the Revolution itself, and that almost all its most prominent and terrible incidents resolve themselves, upon a close inquiry, into this prolonged and ever-recurring contest between the Commune and the nation. There is a resemblance, amounting to identity, in each of these periods. The actors are changed, for they disappear with marvellous rapidity—even the passions and the war-cry are not the same; but the elements of the strife are unaltered and unappeased; there is always the same impulse to 'se municipaliser à manière' on the part of the Commune; and always the same 'verve révolutionnaire' to carry it into effect.

From the 25th July 1789, down to the passing of the municipal law for Paris on the 21st May 1790, the capital was a prey to anarchy. Each of the sixty districts of the city had constituted itself into a separate body, claiming both legislative and executive powers; and all these bodies were at war with the electors of 1789, and with their own legal delegates. Bailly, the mayor, had unfortunately said in a letter to the districts (afterwards called the Sections), 'The legislative power resides in you. It is your business to make laws for this city. You have the intelligence and the power.' This doctrine was condemned by Sièyes, by Mirabeau, and by the Assembly, who argued that this was to create sixty communes in one city, and to perpetuate anarchy. It was loudly supported by Danton, Robespierre, and the revolutionary party, who argued that the sovereignty of the citizens was inalienable. Upon this (April 1790), a report was made to the Assembly by Desmenniers in the following terms:—

> 'The Committee has seen with regret several communes of the kingdom misapply the principles of constituent and legislative power, seeking their strength in themselves instead of in the constitution and the unity of the nation. This would be to imitate the cities of Greece, as if France could become a federative government without dissolution; but they have not ceased to act as if they had for the present and the future the right to regulate and govern, not confining themselves to municipal power, but usurping the sovereign authority of the nation and the power of the legislature.'

Mirabeau opposed and denounced these doctrines of the communes as subversive alike of power and liberty. He clearly foresaw that Paris, and the Commune of Paris, was the greatest peril of France and of the Constitution. 'Paris m'attire,' said he to his friend Frochot; 'c'est le sphinx de la révolution.' 'It is impossible,' he added on another occasion, to Count La Marck, 'to endorse this popular dictatorship. Society would be annihilated if the multitude or

rather the populace of Paris continues to interfere with the authority of the laws. Paris is lost if it be not called to order and constrained to moderation.'

The position of the Court and of the National Assembly in June and July 1789 was not very dissimilar to that of M. Thiers and the present Assembly in March and April 1871. They occupied Versailles, and they represented the supreme authority of the nation. The irony of events placed the aged but energetic historian of the Revolution in a situation which may not unfitly be compared to that of Louis XVI. himself, which he had judged with so much severity in his earliest work. M. Thiers was head of the executive power of France. He was supported by the Majority of the Assembly; but he had been compelled to withdraw his troops from Paris, lest they should fraternise with the mob. The executive power was extinguished in the capital—save by the occupation of Mont Valérien, a modern fortress more impregnable than the Bastille. Thiers was himself suspected and accused by the revolutionary party of designs hostile to the revolutionary cause. That was also in many respects the situation of Louis XVI. and his government at the outset of the Revolution; but with the important difference that the Bastille was taken by the insurgents, and Mont Valérien was not, and that M. Thiers was prepared and enabled to make war on Paris, which Louis XVI. had neither the means nor the resolution to attempt.

In Paris itself the resemblance is still more striking. The first scene of the Revolution is thus described in No. 21 of the 'Moniteur,' to which no subsequent historian can in fact add anything:—

'Citizens of every rank, order, and age, and all Frenchmen in the capital are inscribed as soldiers of the country, and take the green cockade.* It is enacted that each district shall form patrols to protect the city, and that these are to be incorporated with the mob (*qu'on s'incorporera avec les brigands*) in order to disarm it without difficulty, and that the Prévôt des Marchands shall promptly provide small arms and munitions of war. Upon this the town flags were hoisted, cannon was fired to give the alert, ditches and barricades were dug and constructed, posts were formed, and in less than thirty-six hours Paris presented the aspect of a fortress, garrisoned by 100,000 men, who were divided into companies, named their own officers, and watched for the tranquillity of the city.'

* The green cockade was immediately abandoned, and the old red and blue colours, which had been borne 400 years before on the hoods of Marcel's followers, reappeared next day.

One sees in these arrangements a vestige of the old municipal train bands, but within a few hours they became a revolutionary army. On the 13th July (for that is the date), 'the electors decreed' that a 'Permanent Committee should be established, composed of persons to be named by the Assembly, but augmented by the electors as they may think fit;' and that the whole armed force of the capital should at once be enrolled as the *milice parisienne*. This Permanent Committee was instantly named, apparently by itself, and certainly without any reference to the National Assembly or to any legal authority; and the luckless M. de Flesselles, the last of the Prévôts des Marchands, was placed at the head of it. The first exploit of this self-constituted army and authority was the taking of the Bastille, the murder of its governor, followed by the murder of Flesselles himself, because he was suspected of thwarting the anarchical designs of the people. When called upon for arms, he had in fact sent for some chests, which were found when opened to contain old linen.

It was with reference to these events that Mirabeau said in the Assembly:—

'The first and principal cause of the disturbances in Paris is, that no acknowledged authority exists in the city. The chiefs have seized the reins of the administration, under the pressure of urgent necessity, and formed a Permanent Committee without the formal assent of the people, but the effect of this body is absolutely null, because both its creators and those it has created are only private citizens, without the trust or character of representatives. This Council will, therefore, organise a *municipality* which will ensure subordination and peace.' (*Moniteur* of 23rd July, 1789.)*

Everyone knows how these predictions were fulfilled. The horrible tumult of those days has been described a thousand times,

* In M. Thiers' 'History of the Revolution' (vol. i. p. 87), he gives the following account of these transactions: 'Dans la matinée du lundi, les électeurs, toujours réunis à l'Hôtel de Ville, croient devoir donner une forme plus légale à leur autorité; ils appellent en conséquence le prévôt des marchands, administrateur ordinaire de la cité. Celui-ci ne consent à céder que sur une réquisition en forme. On le requiert en effet, et on lui adjoint un certain nombre des électeurs: *on compose ainsi une municipalité revêtue de tous les pouvoirs.*' If this was all that is required to establish a municipal authority invested with full powers, the same expedient has been resorted to on many occasions, as, for instance, on the 18th March, 1871, when the Commune was re-established by the same process, and the authority of M. Thiers' own government destroyed by it in Paris. We prefer the opinion of Mirabeau. The authority of such self-constituted powers is 'absolutely null.'

but nowhere with more force than in the contemporary record of the 'Moniteur.' The 'Permanent Committee' itself was in imminent danger of instant death. Flesselles was killed; numerous acts of atrocity were committed; no authority but that of the 'electors' existed in the capital; all trade and industry were suspended; and the Committee resorted, for the first time, to the fatal expedient of issuing daily pay to the citizens 'employed in the service of the country.' The conciliatory weakness of the Court and of the Assembly terminated the crisis, and a deputation consisting of Lafayette, Bailly, the Archbishop of Paris, M. de Clermont Tonnerre, and other eminent persons, entered Paris to compliment the citizens on their victory. It was on this occasion that Lafayette himself was proclaimed by acclamation Commander-in-chief of the National Guard of Paris, and Bailly Mayor of Paris.

'Au même instant toutes les voix ont proclamé de même M. Bailly Prévôt des Marchands.

'Une voix s'est fait entendre et a dit : "*Non pas Prévôt des Marchands, mais Maire de Paris.*"

'Et par une acclamation générale tous les assistants ont répété, "*Oui, Maire de Paris.*"' (*Moniteur, Pièces justificatives*, tome i.)

It was considered a stroke of policy to take the power out of the hands of the anarchists and place it in those of men like Lafayette and Bailly; and no doubt they were capable of rendering services in that capacity. They attempted to do so, though with small success, on the 5th and 6th October at Versailles. But the very fact was a departure from all *municipal* principles. These were political appointments. The Commune de Paris became and remained a political institution. It was a political power in the capital which proved itself, after a long and unequal contest, superior to the lawful authority of the Assembly and the nation. From July 1789 to September 1792, when in fact the triumph of the Commune was consummated by the dissolution of the Legislative Assembly, the overthrow of the Monarchy, and the election of the Convention, the history of this contest is the history of the Revolution. This usurpation of political power by municipal bodies, backed by organised mobs and armed bands of civic troops, who held first the Court and afterwards the Legislature at their mercy, is the distinguishing characteristic of the whole period. These irregular municipal authorities sprang into life, as we have seen, armed, and one of their fundamental principles was that they should retain armed possession of the capital, uncontrolled by the forces of the State; in other words, that the State and the laws of the State should be divested of the sanction of military force in the very seat of government and legislation. The consequence was that the laws and resolutions of the State became powerless; while the laws and resolutions of the Commune were enforced alike by physical strength, by numbers, and by terror. The next step was to appropriate money to the purposes of the Commune, in order to provide for the daily stipend of their sicarian bands, and this was done partly by pillage of public buildings of which no account was rendered, partly by requisitions, partly by excessive taxation of the rich, if in those days any man was rich. The next step was to assume judicial authority—to establish tribunals for the trial of offences against the State, and to inflict even capital punishment by acts which prefigured the Reign of Terror itself. When the military, financial, and judicial power over the property and lives of citizens had been thus usurped, not content with this despotic administration of the capital, the Commune of Paris sought to give laws by its emissaries to other parts of France. What wonder that the power and independence of the National or Legislative Assembly waned before it?

The debates of that assembly down to the close of its brief and unhonoured existence are full of protests against this new form of tyranny, expressed in terms of indignant eloquence. It was there that Mazuyer exclaimed :—

'The Commune is carrying on that system of terror which is its chief method of success. The prisons are once more filled, without our knowing for the most part who signed the warrants of arrest; the wealth accumulated in the houses of the *émigrés* and in the Tuileries is abandoned to pillage; everything that can tempt the avarice of a subordinate agent is seized and no trace of it can be found on record; valuable resources are wasted without profit to the natives; the means of defence are annihilated; Paris and France are given over to the most extravagant absurdities and the most insatiable rapacity. *The law must decide whether the French nation or the Commune of Paris is sovereign of the country.*'

It was there that Vergniaud raised his voice with still more ardent eloquence against

'those hypocritical and ferocious beings, who are the advocates of scandalous delations, of arbitrary arrests, of the contempt of law, and of general anarchy—against the men who make an aristocracy of virtue and a democracy of vice, to ruin the one and deify the other. The citizens of Paris,' he continued, 'dare to call themselves free. They may not be the slaves of crowned tyrants, but they are the slaves of the vilest and wickedest of men. It is time to

break these shameful chains—to crush this new oppression. It is time that men who have made the virtuous tremble should tremble in their turn. Tell it to Europe that in spite of the calumnies which have been heaped upon France, there is still, amidst the temporary anarchy in which these brigands have plunged us, some virtue in our country.'

The chief value of M. Mortimer-Ternaux's History of the Reign of Terror consists in the demonstrative evidence he has produced in support of this proposition. He makes no pretensions to the dramatic eloquence of Michelet or Lamartine; he has none of the party views of Thiers or Louis Blanc. But he proves better than any other writer that the crisis of the Revolution was the result of the misdirected energy of municipal power at war with the sovereignty of the nation. This view of the Revolution is the more interesting and instructive at the present moment, because it has just been reproduced and imitated by the Commune of Paris of 1871 under our own eyes.

But we have been led by these considerations to anticipate, and we have yet to show by what errors these fatal consequences were brought about. The Constituent Assembly had been led, as we have seen, by the disturbances in Paris to regard the establishment of municipal authority as one of the most pressing duties of the authors of the new Constitution of France. Accordingly, when in December 1789, the scheme for a new distribution of the territory of the kingdom and for the execution of the necessary administrative powers was brought under discussion, municipal government formed a part of it. It formed so much a part of it, and was nevertheless so erroneously conceived, that it became in some respects the basis of the political constitution. Thouvet and Mirabeau had both presented plans, founded mainly on the ideas of the Abbé Sièyes, for a mathematical division of the kingdom; these, however, were modified on the proposition of Barnave. France was to be divided into from seventy-five to eighty-five departments; each department was subdivided into from three to nine districts, and each district into cantons; each department and each district was to have a council and an executive board, to be elected by the people or rather by electors named by the whole population. Each city, town, and parish was to have a municipal government of its own, with a mayor and also a syndic, whose duty it was to defend the interests of the Commune. This complicated system of agents and powers composed the whole fabric of the executive authority, and in that capacity was subject to the king, but the king had no power to remove or control his own agents. To complete the anarchical confusion of the scheme, it was provided, and this is important, that the municipal authority should *alone have the power of calling out the military force for the repression of disorder*. The plan was adopted by the Constituent Assembly in a summary manner, after a very few days' discussion, though in fact the whole future government of France was at stake. The true nature and the inevitable result of it had at once been detected and described by Mr. Burke, when he called it 'the ladder of representation by which your workmen ascend from their parochial tyranny to their federal anarchy—the project of turning a great empire into a vestry, or into a collection of vestries, and of governing it in the spirit of a parochial administration—senseless and absurd, in any mode or with any qualifications.'* The primary object of the whole scheme was to grind down and parcel out the whole territory with absolute uniformity, so as to efface the distinctions and traditions of provinces and cities, and to confer upon every parish or township the same right and form of government which was adapted to the largest communities. Such was the origin of the boasted uniformity of France, which has never been violently and openly attacked until the insurrection of the Commune in the present year. But within a very few weeks it became sufficiently apparent that the result of the Constitution of 1791 was total anarchy. The directory of the department of Paris, as it was termed, was a well-constituted, liberal, and loyal body. The Duc de la Rochefoucauld was its chairman; Rœderer was Procureur-Syndic. This body was sincerely desirous to restrain the excesses and treachery of the municipality of Paris, the Commune, of which Pétion had on the retirement of Bailly become mayor. When the dreadful disturbances of the 20th June, 1792, began, this 'directory' took active measures to require the Commune to act against the insurgents. Rœderer's letters to Pétion, published by M. Mortimer-Ternaux, prove it. But whilst the mob was marching against the Tuileries, Rœderer himself held that the 'directory' had no legal power to proclaim martial law, and that this could only be done by the Commune. But the Commune were themselves on the side of the assailants. Pétion was playing into their hands. So that by this strange inversion of all authority, neither the heads of the department nor the Ministers of the Crown

* Burke's Letter to a Member of the National Assembly (January 1791), pp. 3–5.

could give orders for the defence of the Sovereign, and the command of the military forces of Paris was in the hands of the leaders and instigators of the attack. This *reductio ad absurdum* has been forcibly pointed out by M. Duvergier de Hauranne in the introduction to his History of Parliamentary Government in France (vol. i. p. 250), a work of high authority in the elucidation of these problems, which, notwithstanding eighty years of experience, France has as yet failed to solve.

The constitution of the Commune of Paris by the special law of 21st of May, 1790, was extremely curious and complicated. It has been accurately described by M. Mortimer-Ternaux in a note to his first volume. Before 1789 Paris was divided into twenty-one quarters. The decree of the 13th of April, 1789, made for the purposes of the elections to the États-généraux, divided the city into sixty districts. These were afterwards reduced to forty-eight sections, and this distribution was retained (under the old name of *quarters*) until 1860, when Paris was extended to the outer line of the fortifications. The 'active citizens,' as they were termed, consisted of all Frenchmen assessed to a direct tax equivalent to three days' pay; these were the primary electors, convoked in their respective sections. Each section named the secondary electors, in a proportion of 1 per cent. on the numbers entitled to vote. These secondary electors were persons assessed to a direct tax equivalent to ten days' pay. There were at first in Paris about 820,000 primary electors, and consequently 820 secondary electors. The latter elected the deputies to the Legislative Assembly, the executive officers of the department, the bishop, and the judge of the district. The corporation of Paris thus elected consisted of a mayor, sixteen administrators, thirty-two common councillors, and ninety-six notables with some other officers. The mode of election was by a most intricate combination of open voting and balloting for lists. These offices were held for two years.

Two or three obvious observations are suggested by this strange constitution. In the first place, it was based on a complete confusion of political and municipal functions, or rather the municipal character was swallowed up in the political. A similar confusion existed between the elective and administrative rights of the people—in fact, the sections, which were intended to be mere electoral wards, soon assumed the character of permanent political and military bodies. In each of them debates were continually carried on, and resolutions passed which overruled the corporation and the Assembly. By a decree of the 19th of August, 1792, the former battalions of the National Guard were superseded by 'armed sections;' that is, the citizens of each district formed an armed band, acting under the orders of the commander of each section, and were subdivided into companies of 126 men. This was the application of the theory of the Jacobin Club that 'the people, and each portion of the people, and consequently each section, has the right to use its own share of sovereign power as it thinks fit.' Municipal government, so understood and practised, became simply the negation of all law. The central power of the State was totally extinguished. It had in fact no power but that of suspending public officers who failed to do their duty. But, although the whole authority and control over the capital was thus thrown on the constituencies, the electors never could be prevailed upon to vote in large numbers. At the very first election when Pétion was chosen mayor in place of Bailly, only 10,000 citizens voted. In 1792, the number of electors was doubled by the abolition of the qualification of three days' pay; they then amounted to 160,000; but at the election for the mayoralty, which took place in October 1792, not *one-tenth* of that number could be prevailed upon to *vote at all;* 14,137 electors voted on the 4th of October, only 9,361 on the 8th of November. Of these not above 5,000 belonged to the Jacobins. In many of the sections composed of two or three thousand citizens, not more than fifty or sixty would appear; the most important questions were decided by 150 or 200 voters. Well may M. Mortimer-Ternaux exclaim, after recording these figures, that 'the culpable indifference and stupid apathy of the population of Paris' was as much to blame for the result, as the irresolution and weakness of the Legislative Assembly itself. The history of the French Revolution is the history of a triumph of a truculent minority over a timid majority by means of terror. There is not one of the bloody days of this long conflict which might not have been averted by a prompt and determined exercise of lawful authority. But the law itself was paralysed and disarmed by the institutions we have just described, and by the inconceivable inertia of the bulk of the population. It further deserves to be remarked that the Constituent Assembly which had created this Frankenstein, had provided no means of controlling it. The Commune subsisted by virtue of the constitution. It was therefore removed from the competency of the legislature to remodel or suppress it,

because in fact it had the same constitutional origin as the Legislative Assembly itself.

The whole subject of the municipal policy of the revolution is so ably described by M. Mortimer-Ternaux that we are tempted to quote his remarks on it:—

'This exorbitant municipal power was not vested in the hands of magistrates who might have been personally responsible for the use of it; but it was intrusted to boards. By this wretched expedient the wire-pullers could remain in the shade, while they worked their puppets as they pleased. Everybody gave his advice; nobody acted. But, when circumstances called for a prompt decision, the lowest municipal officer would brace on his official belt, and, without a shadow of rightful authority, would give the most important, and sometimes irreparable orders. It would have been impossible more effectually to organise anarchy if they had wished it.

'But in the special institutions of the City of Paris, the Constituent Assembly, it must be confessed, reached the acme of absurdity. The whole administration of this great city was bristling with wheels within wheels, which checked and sometimes stopped the general movement. The corporation consisted of 144 members, of whom 48 were selected, and these elected 16 of their own body to form five administrative boards, each sovereign in its own department. At the head of this body was placed a mayor, who could do much mischief and little good—free to sanction disturbances by his presence, but almost incapable of arresting them. This mayor was a sort of idol offered to the adoration of the cockneys of Paris, but an idol resembling one of those Indian deities which are made to nod and speak—which are carried in state through the streets on high holidays—but are consigned to the obscurity of the temple and to clouds of incense on the day of danger.

'The complexity of the organic law of the municipality of Paris interfered with the true working of the elections, and disgusted the orderly electors till, in fact, they ceased to vote. But, when the ultra-revolutionary sections had resolved upon the overthrow of the throne, these artificial barriers fell like a house of cards in the night of the 9th August, at the first blast of the insurgent democracy.

'The sittings of the municipal and departmental councils were both declared to be public, and they were consequently abandoned to the incessant and furious pressure of the galleries. Although it had been intended that the 48 sections into which the capital was divided should not remain assembled after an election, and not meet again until they were convoked by the Commune, another clause of the law provided that this convocation of the 48 sections should take place whenever it was demanded by 8 of their number. To exercise this right a Permanent Committee of 16 had been established in each section. Thus with inconceivable imprudence the Constituent Assembly had established in Paris 48 centres of perpetual agitation, and framed, as it were, all the rights and privileges of sedition. In each section a knot of leaders had been formed, who were continually calling meetings, and making the most unconstitutional and incendiary motions, which went the round of Paris in a few hours. In fact the sections had become almost permanent, even before the law recognised their permanence.' (*Mortimer-Ternaux*, vol. i. pp. 25–27.)

Such was the constitution of the Commune of Paris at the outset of those fifty days, from the 20th June to the 10th August, 1792, which comprised the stormy transition of France from the Monarchy to the Republic—'days,' said Mr. Croker, who knew them well, 'which have already had, and will probably continue to have, a greater influence on the destinies of mankind than any other fifty days in the history of the world.'* But the contest which marked those days with so much horror, infamy, and blood, was nothing more, and nothing less, than a struggle between the Jacobin party, which wielded all the resources of the Commune and the sections, and the Feuillans or constitutionalists of the Assembly. The Legislative Assembly must for ever bear the stigma of the crimes which it allowed to be committed and to remain unpunished. It was a feeble and foolish, but not a sanguinary or a lawless, body. The great majority of its members abhorred the violent and ferocious policy of the Mountain. Robespierre, Collot-d'Herbois, Marat, and all the band of miscreants who figured in the Convention, had no seats in the legislature which subsisted from October 1791 to September 1792. Danton took his seat in it because after the 10th August he became Minister of Justice, or what was called so. It was in the Commune and the Jacobin Club that the real authors of the excesses of the Revolution had established their stronghold. From that fortress of illegality and arsenal of crime proceeded the arbitrary measures and atrocious conspiracies, which overthrew the Constitution of 1791, the Throne, and the Assembly itself. It was the Commune that organised in April, 1792, the ridiculous fête in honour of the Swiss of Chateauvieux, convicted traitors to their colours, who had gone over to the mob in the disturbances at Nancy, and been sent to the galleys, from which they were rescued by popular enthusiasm and brought back in triumph to Paris, where the Asssembly itself was outraged by decreeing honours to the violators of law. It was in the Commune that the whole atrocity of the 20th June originated, when the

* Croker's 'Essays on the French Revolution,' p. 161.

mob forced its way into the Tuileries, and thrust a red cap on the head that wore the crown of France, to the imminent peril of the Royal Family. Panis and Sergent, two of the city officers of police, were the prime movers in it. Santerre, the commandant of the battalion of the district of the Enfants-Trouvés, was its leader. Pétion, on whom as mayor the duty of maintaining order chiefly devolved, equivocated, disobeyed the requisitions he received from the Council of the Department, and defeated the measures of defence he ought to have been the first to command. On that fatal day the head of the municipality of Paris was the guardian and protector (such was the strange result of an anomalous constitution) of the royalty of France; but, unlike the gallant Walworth, Lord Mayor of London, who stood by the side of Richard II. to hew down Wat Tyler, Pétion was a Judas who betrayed his king. In spite of the indignation which these outrages excited in the Assembly and throughout a great part of France, the men of the Commune persevered.* If they remained unpunished for such acts as these, greater crimes might be committed with impunity.

And they were committed. The 10th August followed by inevitable steps the 20th June. The same authority remained at the Hôtel de Ville. The same audacity pervaded the sections. The same tricks were employed to paralyse the defence of the palace. M. Mortimer-Ternaux has analysed and dissected the authentic evidence of what took place on that memorable day with consummate ability. The story has been related a hundred times; but it has been overlaid with whole strata of inventions and lies. The true narrative is to be found in the *procès-verbaux* of the forty-eight sections of Paris and the records of the Commune—documents which are still in existence, and which M. Mortimer-Ternaux has carefully examined. We can cite but one trait of this curious picture of municipal government in France.

It happened that on the 9th and 10th August, the command of the legions in Paris devolved by rotation on one Mandat, a civic officer, favourable to the Revolution, but a man resolved to do his duty, to protect his king, and to execute the laws. On the first appearance of disorder Mandat had taken precautions, by doubling the military posts about the Tuileries and preparing an energetic resistance. He was supported and approved by a majority of the Common Council. But these measures occasioned the most violent animosity in the sections and amongst the leaders of the conspiracy in the municipal government. Upon this they determined on a *coup d'état* against their own colleagues and representatives, and promulgated the following order:—

'The Assembly of Commissioners of the majority of the Sections, being united, with full powers to save the commonwealth, has resolved that the first measure required by the public safety is to resume all the powers which the Commune had delegated, and to deprive the military staff of the influence which it has hitherto exercised in a manner so prejudicial to liberty. Considering that this measure cannot be adopted without provisionally suspending from its functions the municipality, which can never and in no case act save in accordance with established form, it is decreed that *the Common Council of the Commune is suspended*, and that the mayor, the procureur, and the sixteen administrators are to continue to perform their duties.'

We do not remember to have met with a more perfect specimen of revolutionary hypocrisy and despotism. The Common Council protested, and were laughed at. Mandat was at once ordered to be transferred to the prison of the Abbaye. He had already nobly refused to revoke the military orders he had previously given for the defence of the Tuileries. But before he reached the prison, he was dragged from that of the Hôtel de Ville by a band of assassins, who blew his brains out with a pistol-shot on the great staircase. From the room in which they were sitting, 'the Assembly of Commissioners of the United Sections' could hear the groans of their victim and the ferocious shouts of his murderers; but they cared not to interrupt the course of their deliberations, and they continued to complete their orders and arrangements for the insurrection of the morrow.* The result of that morrow, the 10th August, so fatal alike to legal authority and constitutional liberty in France, was again due to the ascendency of the Commune over the intimidated Assembly.

A complete usurpation of executive power

* It was at this time that the celebrated petition of the 20,000 was presented to the Assembly against the culpable inefficiency and collusion of the Municipality of Paris. Subsequently, under the Convention, to have signed that petition was in itself a crime punished with instant death. Pétion and Manuel were suspended from office by the Council of the Department, though afterwards restored by the deplorable rashness of the Assembly. Six weeks later the Duc de la Rochefoucauld, Chairman of the Council, paid the penalty of that courageous action with his life. He was murdered on the road from Rouen to Paris.

* Mortimer-Ternaux, vol. ii. p. 283.

by the insurrectionary Commune was the immediate result of the 10th August, for when the throne was destroyed, the Commune, and not the Assembly, assumed the supreme authority. The Convention itself, with all its crimes, was, comparatively speaking, a legal power; and the interval between the 10th August and the election of the Convention is the very darkest spot in the annals of the Revolution. Hostages were seized in their houses by the agents of the Communal police, women and children were cast into abominable prisons, and devoted to massacre, to answer for their husbands and fathers. The right of petition was turned into an instrument of proscription. That liberty of conscience which had been proudly inscribed among the rights of man was violated by consigning the clergy wholesale to death or deportation. The liberty of the press was annihilated by a decree which suppressed all journals attached to the cause of monarchy—their presses were seized and their editors arrested. Municipal delegates took possession of the post-office, stopped the mails, and opened the letters. All powers, in short, were usurped by a single band of ruffians, who called the ministers, the magistrates, and the executive officers of the State to their bar. Paris, and the leaders of the mob of Paris, were absolute, not only within the walls of the capital, but beyond them. The National Assembly was a mere instrument to register their edicts. One of its first acts was to vote a monthly subsidy of 850,000 francs to be spent by the Commune at its pleasure. A new law of general police voted on the 11th of August, charged the *municipal* authorities with the detection and prosecution of crimes against the State, and gave them full powers to detain and arrest all suspected persons. This act alone placed the whole population at their mercy.

The next step was the creation of what was termed the *Comité de Surveillance* of the Commune, or, as it was termed at the Hôtel de Ville with ominous reality, the *Committee of Execution.* The nature of their functions may be inferred from the following extract from their records:—

'23rd August, 1792.

'Upon hearing the Procureur-Général of the Commune, the Common Council orders that the guillotine shall remain standing until further order, with the exception, however, of the knife, which is to be removed after each execution.'

'24th August, 1792.

'The Common Council authorise the manufacturer of machines for decapitation to furnish one of these for the department, to be paid for by whom it may concern.'

The Commune hastened to present at the bar of the Assembly an address, proceeding from the pen of Robespierre, and read by the mouth of Tallien, in which they boldly asserted that they alone had saved the country on the 10th of August by the exercise of their revolutionary powers. The Assembly, not yet entirely vanquished, replied by its President Lacroix that 'the formation of the provisional Commune of Paris was contrary to law, and that it was a disgrace to the Revolution to exhibit a single Commune in open defiance of the general will, struggling against the National Assembly.' One of the leaders exclaimed, 'The people are waiting at the door for your answer. The people is free, and you deprive it of liberty.' To which Lacroix rejoined, 'Are *we* then free?'

The day which followed this scene was that on which the leaders of the Commune, Marat, Danton, Robespierre, Manuel, Hébert, Billaud-Varennes, Panis, Sergent, Fabre d'Eglantine, Camille Desmoulins, and a few others, prepared and consummated the most atrocious of their crimes—the general massacres of the *détenus* in the prisons of Paris from the 2nd to the 5th of September. It is impossible to resist the evidence that everyone of these persons was privy to this abominable action. Danton desired and encouraged it. Robespierre, by the admission of M. Louis Blanc, did not prevent it. Manuel, Hébert, Billaud-Varennes were present in one or other of the prisons. The last-mentioned patriot paid the hired murderers their hard-earned blood-money of 10 or 12 francs a day. M. Mortimer-Ternaux has seen the receipts, which are still in existence.*

The Committee of Surveillance even prepared warrants for the arrest of Brissot, Roland, and thirty of the Girondins—but their time was not yet come. In the section of the Faubourg Poissonière the following decree was proposed and carried:—

'Considering the imminent danger of the country and the infernal machinations of the priests, it is RESOLVED:

'1. That all the priests and suspected persons confined in the prisons of Paris, Orleans, and elsewhere shall be put to death.

'2. That the wives and children of *émigrés*, and of persons who are missing, shall be placed in line in front of our volunteers on the frontier, so as to protect these brave sansculottes from the blows of the enemy.'

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* We have on a previous occasion discussed Louis Blanc's extravagant theory that the massacres of September were the result of an unpremeditated popular rising. See Ed. Rev. cxviii. where the reader will find the evidence minutely examined.

At the Luxemburg, where Joachim Ceyrat was in the chair, the following resolution was carried :—

'1. The motion of a member to purge the prisons by shedding the blood of the *détenus* of Paris having been adopted, three commissioners are named to convey this resolution to the Common Council, *in order to act with uniformity.*' (*Mortimer-Ternaux*, vol. iii. p. 218.)

On the following day, whilst the streets of Paris ran with blood, and 1,368 mutilated corpses of innocent men, women, and children (that seems to have been the exact number of the victims), were carted off to the lime pits, the following circular was issued by the Commune of Paris to the departments :—

"The Commune of Paris hastens to inform its brethren in all the departments that a portion of the ferocious conspirators, confined in the prisons, have been put to death by the people —an act of justice which appeared indispensable to restrain by terror the legions of traitors hid within our walls, while we are marching against the enemy ; and no doubt the whole nation, after the long series of acts of treachery which have led it to the edge of an abyss, will hasten to adopt a measure so necessary to the public safety ; and all Frenchmen will cry with the Parisians, "We are marching against the enemy, but we leave behind us no brigands to immolate our wives and our children."

'The Members of the Committee of Surveillance, Administrators of the Public Safety, and adjunct Administrators.

'P. J. Duplain, Panis, Sergent, Lenfant, Jourdeuil, Marat (*l'ami du peuple*), Deforgues, Duffort, Cally, Delegates of the Commune at the Mansion-house assembled. Paris, 3 September, 1792."

(*Mortimer-Ternaux*, iii. p. 308.)

A last attempt was made by the Assembly after this unparalleled outrage to crush the Commune, and to wrest from these maniacs the power they abused. Cambon exclaimed, 'If you choose that the Commune de Paris should govern the empire, as Rome did, let us submit and lay our heads on the block. But you have sworn to defend the people and to die at your post. Keep then your oath and assert the authority of the nation.' But, as is well known, these efforts were vain. Even the decree which broke the Commune was evaded. Its power was irresistible, and within a few days it attained, what Cambon had called its secret object, which was to overthrow the Assembly and name a National Convention. From that moment, and for nearly two years from that time, the leaders of the Commune were, under another name, the rulers of France, and the Reign of Terror was established. The elections to the Convention were of course made under their direct influence. The Convention itself, in which the majority still belonged to the moderate party, was overawed by the Commune. The Commune pointed the cannon of Henriot on the 31st May, locked the doors of the Assembly on its own members, and exacted the surrender of the twenty-two chiefs of the Gironde.

Here we pause. It is not our object to relate again these dreadful and too famous scenes. Our purpose was merely to demonstrate by what means the Communal authority of Paris overthrew the supreme power of the lawful legislature and subjected the nation to its will. The striking resemblance between these occurrences and those we have just witnessed, does not require to be pointed out.

But it will be said, the Commune of 1871 did not resort at first to these extreme measures. It burnt the guillotine, and it reserved the massacre of its prisoners for the dreadful moment of its own final destruction. In the place of a feeble and defenceless Assembly within its grasp, the representatives of the nation were at Versailles disposing of an army of 100,000 men. Civil war therefore superseded mere terrorism and assassination, and though it may cause even more bloodshed and misery than a Reign of Terror, we infinitely prefer an open contest to be fought out in the face of day to a system of delations, organised seditions, secret persecutions, and judicial murders. If law is suspended by revolution, the authority of arms is the only defence of right. We doubt not that when the truth comes to be known, it will be found that this extraordinary power over the great city was exercised by a very small number of desperadoes and fanatics, who have summoned all revolutionary agents of Europe to their assistance, and have contrived to possess themselves of the town as much by their impudence as by their strength. Acts of lawless violence and dishonesty they have not for a moment scrupled to commit. They arrested crowds of innocent persons, up to the Archbishop of Paris and the President of the Court of Cassation whom they eventually murdered ; they proscribed and persecuted the clergy, and profaned the churches with infernal ribaldry and pollutions ; they extinguished the liberty of the Press ; they created exceptional courts of justice, in which the functions of jurymen were vested in the 'Delegates of the National Guard'—the modern form of the old sections ; they imposed

forced military service on the whole population between nineteen and forty, on pain of imprisonment, if not death; they raised money by wholesale robbery and by private pillage; and they boast of an insane vandalism against public and historical monuments which are the pride and glory of France. All this, we suppose, is what M. Délescluze (who was one of the thinkers among them) meant, when he said on the 22nd April, 'We are for revolutionary measures, but we wish to observe forms, and to respect law and public opinion.' When, however, the supreme hour arrived, and the defence of Paris by revolutionary means became impossible, they threw off all disguise, and proceeded to commit acts of vengeance of so diabolical a character, that even the crimes of the Commune of 1792 pale before them. They at least were committed in the name of liberty and national defence; these are the mere extravagances of demons intent on social revolution. An insane hatred of capital and the rights of property was superadded to the political passions of the first Revolution.

Yet we will do the members of the Commune the justice to suppose that some at least among them had a theory of government and political rights, for which they conceived it to be worth while to risk their lives and to wage war against their native country. The energy of their protracted defence implies a conviction that they conceived themselves to be fighting for some just and necessary cause. What was it?

The theory of the Commune, as far as we are able to collect it from its own declarations, is that, whereas an absolute Imperial Government had been imposed on the whole of France by the exercise of universal suffrage throughout the territory, and, in short, the country outvoted the towns; so now, the Empire being overthrown and the Republic proclaimed, each town should assume and retain absolute independence, extending to the sole command of its own police, military forces, and administration of justice. The following passage from the official declaration of the 19th April deserves to be preserved. It is an answer to the question, 'What does Paris demand?' and it was probably written by Délescluze, who perished behind a barricade on the 25th May.

'The recognition and consolidation of the Republic, and *the absolute independence of the Commune extended at all places in France*, thus assuring to each the integrity of its rights, and to every Frenchman the full exercise of his faculties and aptitudes as a man, a citizen, and a producer. *The independence of the Commune has no other limits but its rights.* The independence is equal for all Communes who are adherents of the contract the association of which ought to secure the unity of France. The inherent rights of the Commune are to vote the Communal budget of receipts and expenses, the improving and alteration of taxes, the direction of local services, the organisation of the magistracy, internal police, and education; the administration of the property belonging to the Commune, the choice by election or competition, with the responsibility and permanent right of control and revocation of the Communal magistrates *and officials of all classes*, the absolute guarantee of individual liberty and liberty of conscience, the permanent intervention of the citizens in Communal affairs by the free manifestation of their ideas and the free defence of their interests, guarantees given for those manifestations by the Commune, who alone are charged with securing the free and just exercise of the right of meeting and publicity, *and the organisation of urban defence and of the National Guard, which must elect its chiefs and alone watch over the maintenance of order in the city.* Paris wishes nothing more under the head of local guarantees on the well-understood condition of regaining, in a grand Central Administration and Delegation from the Federal Communes, the realisation and practice of those principles; but, in favour of her independence, and profiting by her liberty of action, she reserves to herself liberty to bring about as may seem good to her administrative and economic reforms which the people demand, and to create such institutions as may serve to develop and further education. Produce, exchange, and credit have to universalise power and property according to the necessities of the moment, the wishes of those interested, and the *data* furnished by experience.

'Our enemies deceive themselves, or deceive the country, when they accuse Paris of desiring to impose its will and supremacy upon the rest of the nation, and to aspire to a Dictatorship which would be a veritable attempt to overthrow the independence and sovereignty of other Communes. They deceive themselves when they accuse Paris of seeking the destruction of French unity, established by the Revolution. The unity which has been imposed upon us up to the present by the Empire, the Monarchy, and the Parliamentary Government, is nothing but centralisation, despotic, unintelligent, arbitrary, and onerous. The political unity, as desired by Paris, is a voluntary association of all local initiative, the free and spontaneous co-operation of all individual energies with the common object of the wellbeing, liberty, and security of all.'

In spite of the vague and ill-translated language of this document (which we have not seen in the original), it is evident that this idea of communal government is based on communal sovereignty. Instead of municipal power being derived from the State or from the State Legislature, the State itself is to become 'a voluntary association of local

initiation'—instead of being subservient, the Commune becomes supreme. The tie uniting these independent sovereignties together being voluntary, is, at most, a slender Federal contract. The authority of the State would therefore be extinguished. The towns would become the centres of political power, but they would be disunited; and the country would, we presume, be held like the *terra firma* of Venice, or the rural districts of the Republic of Florence, in subservience to the urban authority. The Girondins of 1793 were proscribed for their attachment to what was called 'Federalism,' which only meant that they denied the central dominion of Paris, and thought that the National Assembly ought to be protected against Paris by the forces of France. But the Girondins never propounded a scheme which would, like this, disintegrate the territory, depose the Government, and annihilate the collective authority of the law. By a curious inversion of the parts taken in this Revolution, the Conservative Assembly at Versailles is now defending the 'one and indivisible' commonwealth of France, whilst the descendants of the Mountain would pulverise it into a thousand fragments. They propose to carry the French municipal theory of divided sovereignty to its extreme limits, and the consequence will probably be that in the end municipal institutions will be more discredited than they deserve.

It is certainly one of the most curious results of the aberration of the human mind, when it has freed itself from the restraints of faith, law, and experience, that such schemes as these should be propounded for the regeneration of France and described by British democratic writers as 'the finest political conception of the age.' * To us the scheme seems somewhat deficient in originality, but for the purpose of destroying the social and political existence of a nation it is no doubt admirably adapted. It would in fact bring France back to the condition she was in, under the feudal system, in the eleventh century, as described by the most eminent of her own historians: 'Le caractère propre, général, de la féodalité,' said M. Guizot in 1829, 'c'est le démembrement du peuple et du pouvoir en une multitude de petits peuples et de petits souverains; l'absence de toute nation générale, de tout gouvernement central.'† The Republican Commune aimed at recovering precisely the same isolated, turbulent, and destructive power which was exercised in the darkest of the middle ages by the feudal nobility. The excess of centralisation in France has no doubt given birth to this protest against central authority —that nation, once proudest of its national gifts, and now humbled by the loss of them, was to be taught to renounce alike national authority, national strength, and of course national pride—the empire builded up by the conquests of a thousand years was to be shattered by the workmen of Paris and their inspired guides into communities about the size of the Swiss Cantons, for that is, according to M. Comte, to be the form of government of Western Europe—and the social life of one of the wealthiest and most industrious of cities was to be placed under new conditions by the expulsion of capital and the extinction of credit—the reign of privileges was to be restored in the land of equality, but they were to be the privileges of the towns over the country, of the needy over the rich, of the turbulent over the peaceful population—lastly, universal suffrage was to be deposed and repudiated because it affords too firm a foundation for the will of the majority, and the minority is to claim its right of directing the revolutions of the world. To these wild pretensions there is but one answer. As they would within a very short space of time annihilate, not only all political power and order, but the very means of existence, and reduce mankind to a second and more brutal barbarism, it is absolutely necessary to resist them by force. Society is, indeed, already resolved into its primitive elements, when it is called upon to take up arms in defence of the first principles of life, property, and liberty. That is unhappily the state of France, but it is the result, as we endeavoured to show last January, of the protracted influence and action of the false doctrines sanctioned eighty years ago by the authors of the Revolution. We traced it then in other forms: we have traced it now in the erroneous conception of municipal power. With these materials the result was long ago foreseen and predicted. That identical result is now before us—no sovereign, no allegiance to the ruler or to the law, no undisputed authority in the representation of the people, no certain peace between the regular and the civic forces of the country, and a chaotic state of society, in which the evils of foreign occupation and the burden of an enormous tribute to a victorious enemy, are almost forgotten in comparison with the internal calamities of France.

Gloomy as this prospect is—and we hold it to be the most awful spectacle that the

* The expression was used by Mr. Frederic Harrison; for the Commune of 1871 finds apologists and even admirers among a certain class of persons in this country.

† Guizot, 'Histoire de la Civilisation en France.' Cours de 1829–30, Leçon i. p. 6.

world has witnessed since the invasion of the barbarians—it has not been entirely unforeseen even by the most patriotic Frenchmen. More than twenty years ago, M. Raudot, then a member of the Legislative Assembly, published an essay entitled 'De la Décadence de la France,' which we have placed at the head of this article, to show that if our prognostications are dark, they are not conceived in any spirit of national rivalry, but have already been anticipated by some reflecting and patriotic Frenchmen. M. Raudot first established by figures that the Revolution had cost France all her great colonies, and that her population had increased by about one-sixth, while that of England and of Germany had doubled. 'Si la dissolution des deux grands royaumes de la Prusse et de l'Autriche,' said he, 'doit enfanter l'unité de l'Allemagne, la puissance relative de la France sera encore bien plus faible. Un état compacte, plus grand que la France d'un cinquième et peuplé de quarante millions d'Allemands rejetterait la France au second rang, et pourrait, en s'alliant à l'Angleterre, causer sa ruine complète.' This was published in 1850. He then examined the state of her forces, of her wealth (which has since enormously increased), and the physical diminution of the standard for recruits. If the standard of height which was in force before 1789 were still required, half the population would be rejected; it has in fact been lowered more than three inches. Thus he arrived at the conclusion that France was declining and would decline under the influence of her system of centralisation, which caused the nation to regard the State and Paris as the only vital portions of the country. At the close of this remarkable paper he wound up the subject by pointing out that the subdivision of landed property was tending more and more to give the peasantry exclusive possession of the soil—that the peasantry must therefore soon find themselves at variance with the classes who seek to draw their existence from the State, since the former pay, and the latter receive, the taxes—that the increase of luxury tended to waste the substance of the upper classes, and that the towns were peopled with multitudes of men who lived chiefly by ministering to this expenditure—that the concentration of power led men to look to the State as the sole source of activity, and even as the sole rightful owner of property—that if the life of a great people is arrested, the increase of poverty is such and so sudden that despair drives men to pillage and civil war—that in such a state of things the foundations of the edifice are upon the quicksand, which may be shaken at any moment by a popular convulsion—and that the army alone remains; but as an army can only exist with subordination, discipline, and obedience, its power depends on the maintenance of those conditions (which are now lamentably wanting), and on the other hand the burden and expense of large armies is an additional grievance to the people. Our readers will judge for themselves to what extent these far-sighted observations have been realised.* To us it appears that the Revolution has very nearly reached its ultimate consequence by the repeated overthrow of the State and the attempted destruction of the capital; and that if the same principles were to continue to operate for another half century they would end in the annihilation of the country. But we are not without hope that the tremendous severity of this last paroxysm may work a salutary change. For the first time in the course of the Revolution, Paris has been overpowered and crushed by the nation. Great as the disaster is, we are assured that the abasement of Paris is not regarded as an unmixed evil by the provinces. 'Let Paris perish,' is their cry, 'if she is to be to us for ever a hotbed of revolution or a seat of despotism.' The moment is approaching—perhaps it is come—when a great creative genius might construct in France a system of government on entirely new principles, or rather on old principles revived, and entirely opposed to the revolutionary centralisation of the last eighty years; but the whole edifice must be built up from the foundation, and the strength of the base is of more importance than the form of its architecture or the name of the superstructure. But who is equal to so great an enterprise?

LETTER FROM EARL GREY.

The following letter has been addressed to the Editor of this Review by Lord Grey:—

'13, Carlton House Terrace,
'May 25th, 1871.

'In the article in the last number of the "Edinburgh Review" on "Lord Broughton's Recollections of a Long Life," I find some statements which I consider so inaccurate, and so injurious to my father and to myself,

* Few Englishmen have been better acquainted with France and French society than the late Mr. Senior. His Journals kept in France and Italy in 1848 and 1852, and recently published by his daughter, contain a most accurate and interesting account of the state of political society in those countries at that time.

that I feel it necessary to contradict them, and to ask you to insert my contradiction in the next number of the Review. The most material of the statements to which I refer are to be found in p. 157, and the three following pages of the Review,—in which my father is represented as having been inclined in February 1832 to retract the resolution which had previously been adopted, to carry the Reform Bill by the creation of peers, and Lord Broughton's account of a conversation he had with me is quoted in support of this statement. No one who was acquainted with Lord Broughton can have the slightest doubt of his having intended to give a perfectly true description of all that passed in that very remarkable crisis, but in a time of such extreme excitement, when events followed each other so quickly, and men's opinions varied from day to day, it was exceedingly difficult, even for those who were in the Cabinet, to arrive at a full and accurate knowledge of all that was going on. It is not, therefore, at all surprising that Lord Broughton, who was not then a member of the Cabinet, should have failed to obtain such information, and I can most confidently affirm, from my own knowledge and recollection, that the account of these transactions contained in the Review is very far from correct. My father never for a moment hesitated in his conviction that it was his duty to resort to a creation of peers, to whatever extent might be necessary, to carry the second Reform Bill, nor did he ever falter in his determination to fulfil this duty. But he believed it to be of the very highest importance for the future welfare of the nation, that the necessity for having recourse to this measure should be averted; and he was not less convinced that even if it were certain that it could not in the end be avoided, it ought to be deferred as long as possible, because to resort to it prematurely would defeat its object, and the ultimate success of the Bill was most likely to be secured by keeping this last resource in reserve, till it should become indispensable to use it.

'My father's correspondence with the King which I have published contains ample evidence that this is the correct account of the view he took of the subject, and that he steadily acted upon it. On reference to this correspondence (vol. ii. p. 96), it will be found that so early as the 13th of January, 1832, a minute was agreed to by the Cabinet in which the unanimous opinion of its members was expressed, that it was necessary for them to have the power of making an addition to the peerage for the purpose of carrying the Reform Bill, and that the expediency of making such an addition depended upon His Majesty's being prepared to allow them "the power of carrying it to the full extent which might be necessary to secure the success of the Bill." The correspondence that followed between my father and the King shows that the power asked for was given to the full extent, that my father firmly refused to be limited to any number, however large, of peers to be brought into the House of Lords, and that he adhered without variation to his original determination, to recommend as large an addition to the House as might be necessary for the success of the Bill, whenever that necessity arose, but not sooner. His correspondence with his colleagues is all to the same effect, and shows that he had no little difficulty in keeping them together in adherence to the line of policy he had laid down, which some of them were anxious to depart from on one side, and some on the other.

'But it is not difficult to understand how Lord Broughton was led to believe that my father's resolution was giving way. At the time he is speaking of (February 1832) there was an almost unanimous opinion among my father's most trusted friends, that he was deferring the creation of peers too long, and the pressure that was brought upon him to have recourse to that measure without delay was so strong that few men would have been able to resist it. I have recorded this, with my father's own explanation of his conduct, in a note on his letter to Sir Herbert Taylor of the 10th of February, 1832 (Correspondence, vol. ii. p. 195), of which I will here insert the conclusion:—"This general concurrence of opinion had produced so much effect upon my own mind that I took the opportunity one evening when we were alone in the dining-room after the ladies had left it, to express to him the great fear I entertained lest he might be making a mistake in deferring a measure so generally regarded by his friends and supporters as being urgently necessary. He answered that he had considered the question most deeply; that he was quite aware of its extreme importance both to the nation and to himself; that as to himself the loss of the Reform Bill a second time in the House of Lords would be fatal to his character as a public man, and make his whole long political life a failure; but he must play the game his own way; that he was convinced a premature creation of peers instead of securing the passing of the Bill would diminish the chances of its success; and that he would not suffer himself to be driven into acting until in his own judgment the proper time for doing so was come. I answered that I was quite content with the assurance that he had considered the matter thus carefully; that I was sure his judgment upon the question was more to be relied upon than that of any of his advisers, and that I hoped he would continue to act upon it." With reference to the subject of this letter I will now add (what I did not think it necessary to mention when the above note was written) that in the conversation referred to, my father explained to me the grounds of his opinion that for the final success of the Bill it was necessary to defer the creation of Peers as long as possible. To the best of my recollection what he said was to the following effect:—He considered that the motive which was likely to induce Lords Harrowby and Wharncliffe, and those who agreed with them, to vote in favour of the second reading of the Bill was their desire to prevent what they considered the great evil of creating peers to carry it, but as soon as that step had been taken,

this motive would cease to operate, and they would naturally vote, in accordance with their opinion, against the Bill, and might be followed by no small number of peers who, though supporters of the Government, were known to be averse to any large addition to the House of Lords. Hence the probability of carrying the second reading of the Bill would be diminished instead of being increased by at once making peers, unless the number made were very large indeed. He added that there was another consideration which was not to be lost sight of. After a very large creation of peers to carry the second reading, it would scarcely be possible again to resort to a similar measure if difficulties should arise in the subsequent progress of the Bill, and considering how notoriously some of its important provisions were disliked by many of those who supported it as a whole, there would be great danger that in the Committee the Government might experience defeats, which would prevent the measure from passing in a shape that would give satisfaction to the country. On the other hand, if the Government succeeded in carrying the second reading without having created peers, keeping their power to do this in reserve, there was a strong probability that the fear of its being used might have so much effect in the House as to prevent their incurring a defeat on any vital point, while even if they should do so, such a defeat would not be fatal, since an adverse vote in the Committee might be rescinded in the next stage of the Bill, and the Government would retain in their hands the means of securing this.

'A letter addressed by my father to Lord Althorp on the 11th of March, 1832, which will be found in his correspondence with the King (vol. ii. p. 262), states nearly on the same grounds his firm determination not to advise a large creation of peers before the second reading of the Bill, notwithstanding his having been very strongly urged to do so by Lord Althorp himself, Lord Holland, and Lord Brougham, whose judgment had probably more weight with him at that time than that of any other three persons that could be named.

'Such was the view of the subject taken by my father, and the result clearly proved that he was right, nor can I doubt, from having very carefully watched the progress of the Bill, that it would have been shipwrecked, and irreparable mischief produced by a premature creation of peers. But it was very natural that those who were not aware of the grounds on which my father acted, and only knew that he firmly refused to take the course which the great majority of his best friends, and some of his colleagues, believed to be necessary for the success of his great measure, should have attributed his refusal, like Lord Broughton, to weakness and infirmity of purpose. And this mistake, with regard to the motives of my father's conduct, may also explain what clearly must have been another mistake of Lord Broughton's as to his conversation with myself. I do not remember to have had such a conversation with him at all. I have, however, no doubt that it must have taken place as Lord Broughton says so, but it is quite certain that he must have much misunderstood what I said. It is totally impossible from what I distinctly remember of my opinions and feelings at the time that I could have meant to say what Lord Broughton attributes to me. I could not have said that my father "was not aware of the consequences of rejecting the Bill, or of the paramount importance of the measure itself," because this would have been directly the reverse of what I well knew to be the truth; but before I had had with him the full conversation to which I have just referred, I certainly shared in the general opinion of his friends, that he was not sufficiently alive to the greatness of the danger that the Bill would be lost in the second reading unless peers were previously created, and I believed that he was making a mistake which would have very fatal consequences. I dare say that in this belief I may have urged Lord Broughton, as a person whose judgment would have weight with my father, to press upon him the opinion held by both of us, that the creation of peers ought not to be deferred. And I can easily conceive that what I may have said with this view, being referred by Lord Broughton to what he had heard from other quarters, might have been misunderstood by him in the manner he has stated.

'There is another matter adverted to in the article which I must also notice. I refer to the account of the circumstances that led to my father's retirement from office in 1834, which is to be found in page 160 of the Review. The Reviewer, partly on the authority of Lord Broughton's recollections, partly on that of other information communicated to him, gives the following account of what occurred. He says, "A Bill for the renewal of the Coercion Act, in all its extent, was contemplated when Mr. Littleton stated to Lord Wellesley, then Lord-Lieutenant of Ireland, in a letter dated 19th of June, 1834, that in his opinion the Irish Government was not likely to require any other extraordinary powers than those that were directed against agrarian disturbances. This suggestion was made at the instigation of Lord Brougham, the Lord Chancellor, who wrote himself to Lord Wellesley to the same effect the same day. It was therefore proposed to omit from the Bill the clauses empowering the Lord-Lieutenant to prohibit public meetings, and the Court Martial clauses which constituted half the Act, from a belief that the introduction of those clauses would endanger the passing of the Tithe Bill, and would provoke O'Connell to resort to agitation and opposition to the Government. Lord Wellesley replied to this letter on the 21st of June:—'I entirely agree with you, and have written to Lords Grey, Brougham, and Melbourne accordingly.' He did so write in a very able and important official despatch of the same date." The Review then gives a long account, which it is unnecessary for me to quote, and which I therefore omit, of the conduct, and of the communications with each other of different members of the Government, after which it proceeds to say (p. 161), "Lord Grey justified his own refusal to concede anything on the ground of a private letter from

Lord Wellesley, but that letter was written some days previous to the official letter of the 21st of June." Such is the statement in the Review, but from the most authentic contemporary record it appears (see Hansard, 3rd series, vol. xxiv. p. 1019) that the question of renewing the Coercion Act was brought under the consideration of the Government by the Lord-Lieutenant, in an official despatch addressed to the Secretary of State on the 18th of April, 1834. In this despatch (quoted by my father when introducing the Bill for the renewal of the Coercion Act on the 1st of July) Lord Wellesley transmitted to the Government the replies of the officers at the head of the Irish police, to queries he had put to them as to whether it would be right to renew the Coercion Act, and if so, whether any changes ought to be made in it. After observing that all the replies from these officers were in favour of renewing the Act, Lord Wellesley added, "that it was almost superfluous to say that he approved of the opinions stated by them, and that he anxiously desired to see the Act renewed." This despatch was included in the papers laid before Parliament by his Majesty's command, and its actual words are still stronger than its purport as given by my father in the above quotation from his speech. The same papers also include a longer despatch of Lord Wellesley's of the 15th of April, in which he said, "These disturbances have been in every instance excited and inflamed by the agitation of the combined projects for the abolition of tithes, and the destruction of the Union with Great Britain. I cannot employ words of sufficient strength to express my solicitude that His Majesty's Government should fix the deepest attention on the intimate connexion marked by the strongest characters in all these transactions between the system of agitation, and its inevitable consequence, the system of combination leading to violence and outrage. They are inseparably cause and effect, nor can I (after the most attentive consideration of the dreadful scenes passing under my view) by any effort of my understanding separate one from the other in that unbroken chain of indissoluble connexion.'

'In accordance with the opinion thus expressed by the Lord-Lieutenant it was decided by the Government that the Act should be renewed with no change except the omission of the Court Martial clauses which had never been made use of, and which it had therefore been agreed to omit, while no other alteration in the measure had been suggested. Accordingly on the 19th of June (Hansard, vol. xxv. p. 119) my father gave directions to the Attorney-General to prepare the Bill in this form, in the firm belief that he was acting with the full concurrence of the whole Cabinet. Up to the 23rd of June my father said (Hansard, vol. xxiv. p. 1307, and xxv. p. 119), that he had no reason to believe that any doubt upon the subject of renewing the Coercion Act in the above shape was entertained by any member of the Cabinet; it was the opinion of himself and of all his colleagues that in consequence of the despatches received from Ireland, it was indispensable that the Act should be thus renewed. "But," he added, "on the 23rd of June I received a letter from the Lord-Lieutenant of Ireland—a private and confidential letter which I never would have mentioned out of the Cabinet had I not been obliged to do so by the necessity of the circumstances in which I am placed, in which letter the Lord-Lieutenant did appear to take a new view of the subject, and which, therefore, I did think it necessary should be laid before my colleagues. This letter appeared to be produced not by any original view of the subject taken by that illustrious person, of whom I cannot speak too highly, and who in this part of the transaction, as in every other, acted from the most conscientious desire to discharge his duty. That letter, I say, appeared to be produced not so much by any original view taken of the state of Ireland as by certain considerations which were suggested to the Lord-Lieutenant from this country without my knowledge or concurrence; considerations affecting rather the political state of parties in this country than of Ireland. I thought the view taken in that letter was completely erroneous." (Hansard, xxiv. p. 1308.)

'It will be observed that the Lord-Lieutenant's letter which created the division in the Cabinet is here distinctly stated by my father to have been a "private and confidential" one, and that he says nothing of any such "able and important official despatch" as the Reviewer alleges to have been written to recommend the omission from the Bill of the clauses relating to public meetings. Nor is there the slightest allusion to the existence of a despatch to this effect in the subsequent discussion that took place; on the contrary, it was expressly affirmed that there was no such despatch.*

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* 'On the 18th of July, Lord Wharncliffe moved in the House of Lords an Address to the Crown for "a copy of any communication received from the Lord-Lieutenant of Ireland, stating the grounds of his having altered the opinion expressed in his Excellency's letter of the 18th of April last to Viscount Melbourne, in favour of the renewal of the bill for the suppression of disturbances in Ireland." Whereupon it is reported that Lord Melbourne (then Prime Minister) rose for the purpose of opposing the motion, on grounds already anticipated by the noble baron: namely, that this was a private communication, which could not fairly be called for by the House. It was a confidential letter, addressed to the Prime Minister, with whom the Lord-Lieutenant held no official correspondence, and not to the Secretary for the Home Department, with whom it was usual for him to have such correspondence, and no reason had been stated to induce the House or the Government to consent to so great a violation of principle as was now proposed, or to adopt a course entirely new and unprecedented; the effect of which would be to violate the secrecy of private and confidential correspondence, to shackle and impair the security of all future communications with ministers, and to set a precedent inconvenient in the highest degree to the public service. These were the grounds on which he felt bound to oppose the production of the document in question. Considering the course the Government had now

'After having described the letter he had received on the 23rd of June my father proceeded to state that it led to some further correspondence with Lord Wellesley on the subject, and to discussions in the Cabinet which ended in his bringing forward, with the concurrence of the Lord-Lieutenant and of the whole Cabinet, the Bill for renewing the Coercion Act without any alteration except the omission of the Court Martial clauses. On the 1st of July the Bill was brought into the House of Lords in this form, and it was read a second time on the 4th. On these occasions my father expressed in the strongest manner his conviction of the necessity of renewing the Act, and of retaining in it the clauses directed against the abuse of the power of holding public meetings, without which he said he would not have proposed the Bill at all (Hansard, vol. lxxiv. p. 1127–8). In saying so he believed (as he had a right to do from what had passed) that he was declaring views which had in the end received the assent of the whole Cabinet, whatever might at one time have been the opinion of some of them. That assent had undoubtedly been given to the measure, though not without difficulty, for a strong difference of opinion as to the propriety of retaining the clauses respecting public meetings had been created in the Cabinet by the letter received from Lord Wellesley on the 23rd of June. This had become known to Mr. O'Connell, and he availed himself of his knowledge to bring the fact before the House of Commons in a manner which eventually made it impossible for the Government to proceed with the Bill in the form in which it had been introduced into the House of Lords.

'Such were the real facts with respect to the bringing forward of the Bill for renewing the Coercion Act according to statements publicly made at the time and never disputed. There can be no need for pointing out how widely they differ from the account of them given in the Review. Nor is the account it gives of the conduct and motives of those who were concerned in this affair, and of the communications that passed between them, less completely erroneous. I will abstain however from entering into the details which would be necessary in order to expose the mistakes I allude to, but I cannot leave the subject without affirming that my father's resignation was not brought about in the manner alleged by the Review. Its immediate cause was no doubt the resignation of Lord Althorp, who felt that after the disclosures in the House of Commons, it was impossible for him to continue to hold office, if the Bill were to be proceeded with in the form in which it had been brought into the House of Lords. But from the course he took after my father's retirement it must be inferred that if Lord Althorp had been asked to withdraw his resignation on the understanding that the Bill should be modified, he would not have refused to do so, and any change in the administration might have been averted. This, however, was not proposed by my father, who was of opinion that in the circumstances in which he was placed his own resignation was necessary. It was rendered so, in the first place, by the fact (on which he laid most stress in the House of Lords) that having brought in the Bill with the concurrence of the whole Cabinet, and of the Lord-Lieutenant of Ireland, he suddenly found himself deprived of the power of carrying the measure so introduced, and which he had just publicly declared to be in his opinion necessary to secure the public peace in Ireland, by the secession of a member of the Government whose services were indispensable for its continuance. With his high standard of the duties of a Minister this alone would have made it difficult for him to continue at the head of the Government, but the manner in which he had been brought into this difficulty had perhaps even more influence in leading him to regard his position as no longer tenable. From the full account he gave me at the time of the motives on which he acted, it would be in my power to show how much this consideration weighed with him. But he only distantly alluded to it in explaining his resignation in the House of Lords, and expressly said that he would not state more than was "absolutely indispensable." His generous desire to avoid saying anything which might be painful or injurious to others, even at the risk of leaving his own vindication less complete than it might have been, was one of his motives for the reserve he maintained; and though this reason for it has lost much of its weight from the lapse of time, I still think it right not to depart from it farther than is required, in order to correct the most material of the erroneous statements that have been made.

I am faithfully yours,

Grey.

H. Reeve, Esq.

We think it due to Lord Grey to publish this communication, and we do so the more willingly as it contains some additional particulars of historical interest; but (with one trifling exception to which we shall presently allude) we do not admit that he has made out his charge of inaccuracy against the contemporary statements of Lord Broughton, and we entirely repudiate his allegation that these statements are 'injurious to his father or to himself.' On these points our readers will judge for themselves. We shall endeavour to confine our reply within the shortest possible limits.

It is admitted on all hands that however resolved Lord Grey may have been to create peers, if necessary, to carry the second Reform

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taken in reference to the Coercion Bill, he frankly admitted that nothing could be more advantageous to himself and the Government than the production of this letter, which would completely justify their conduct.' (Hansard, vol. xxv. p. 111.) My father supported Lord Melbourne in resisting the address on these grounds, and said, 'This was entirely a private letter, it was in his possession; nobody had a right to require its production; and he could not consent to give it up without the sanction of the noble Marquis the Lord-Lieutenant of Ireland.' The motion was withdrawn.

Bill, he was anxious to delay the creation as long as possible. He felt, to use his own words, 'a repugnance, amounting to aversion, to such a measure.' That being the fact, which was known to all his friends, various motives were imputed to him. The delay might arise from irresolution or from a wise policy. The present Lord Grey admits that 'there was an almost unanimous opinion among my father's most trusted friends that he was deferring the creation of peers too long.' That is in other words precisely what Lord Broughton himself says. What may have been passing in the secret thoughts of the Prime Minister, he certainly did not know. Earl Grey's views are now made clear by the publication of his correspondence with the king, and they are fully set forth in his letter to Lord Althorp of the 11th March, 1834. But it would be easy to produce a vast amount of contemporary evidence to show that great doubt prevailed amongst many of his nearest friends and connexions, at the time, on the subject, and that his own resolutions fluctuated, as was natural on so difficult a question.

With regard to the conversation with Lord Howick, it is of course possible that his Lordship may have failed to convey accurately what he meant to say to Sir John Hobhouse, or that Sir John Hobhouse may have misunderstood him, but the record of the conversation was made at the time, and he is now speaking from memory, after an interval of forty years, of a conversation which he does not even remember to have taken place.

We now turn to the second point adverted to by his Lordship, which is of more importance. Lord Grey objects to our statement that Lord Wellesley wrote to his father on the 21st June, 1834, '*a very able and important official despatch*,' recommending the abandonment of the public meetings' clauses and the court-martial clauses in the Irish Coercion Bill, and he adds that there was no such despatch, but only a *private and confidential letter* from the Lord-Lieutenant. In point of form Lord Grey is so far right, that we ought not to have applied the term '*official despatch*' to this communication, because, as is well known, the official despatches of the Lord-Lieutenant of Ireland are addressed to the Home Secretary and not to the First Lord of the Treasury. Lord Melbourne in his answer on the 18th July took that distinction, and Lord Wellesley himself said in a letter of the 3d July (which we have before us) that he wrote to Lord Grey expressly for the purpose of keeping his communication out of the official channel, and that he mentioned this to Lord Melbourne on the same day. The term 'official' was therefore improperly applied by us to this remarkable document. The term should rather have been 'extra-official' or 'semi-official.' But to remove all further doubt as to the nature of this famous letter, we will now print it *literatim et verbatim* from a copy made by Lord Wellesley's private secretary; and we do so with the more pleasure as it is a paper which does Lord Wellesley the highest honour, and which has no inconsiderable historical importance. It has not before been published.

'(Secret.)

'Phœnix Park, June 21, 1834.

'My Dear Lord—Understanding from some communications with Mr. Littleton, that the omission of those clauses in the Protective Act (which confer extensive and extraordinary powers of preventing meetings, etc., on the Lord-Lieutenant of Ireland), would facilitate other measures of importance in their progress through Parliament, and would also secure the re-enactment of the other important provisions of the Act, I think it may be convenient to your Lordship to receive an early statement of my sentiments on the subject.

'The objects of that Act were to prevent agitation, as the remote cause of outrage, and to restrain the nightly assemblies of the people, the effect of that cause.

'The powers conferred on the Lord-Lieutenant of prohibiting and suppressing meetings were directed to check the first of these evils, and unquestionably were successful in their first operation; but your Lordship cannot forget that they were found useless during the whole course of the agitation of the Repeal of the Union; and that perhaps the happy result of that agitation is in some respect to be ascribed to the moderation of the Government, in abstaining from the exercise of the powers which it possessed. The question of the Repeal of the Union is quite extinct; and if (as I hope) an efficient Tithe Bill is passed, it will be impossible to revive agitation unless a clamour can be raised, on some such question as the renewal of great and extraordinary powers of an arbitrary spirit, without evident necessity. Unless, therefore, the necessity is evident, the renewal of the powers would only serve to furnish new ground for agitation and violence.

'I am aware that it is possible, when these powers shall be withdrawn, some meetings, under a different character, but of an equally factious and troublesome spirit, may arise, and that it is not the party of Repeal alone from which mischief is to be apprehended. But I think that the ordinary powers of the law, with the weight of public opinion, would easily defeat such wicked attempts. I cannot, therefore, state, that I consider the preservation of the clauses respecting meetings, as they now stand in the Act, to be essential to the public tranquillity of Ireland, or that the omission of them would endanger the public safety.

'The powers conferred by those clauses of the Act directed against the nightly councils and assemblies of the people, and imposing restraints upon disorderly movements and excesses, may be rather deemed as precautionary moral regulations, than infractions of civil rights; these regulations must be re-enacted; without them it will be scarcely possible to maintain the public peace. If a bill could be framed, continuing to the executive authority the power of enforcing these regulations for

three or five years, such an extension of time to this part of the bill, would be an ample retribution for the loss of all its other provisions.

'On a very material branch of this question, I cannot, perhaps, touch, without exceeding the limits of my official duty; but it is so closely interwoven with every part of the subject, that I am certain your Lordship will not disapprove that excess of zeal, however indiscreet. I mean the general necessity of producing to Parliament, in the present crisis, the most temperate measures which the public safety will admit, respecting the condition of Ireland.

'The Act in question must be deemed an exception to the spirit and character of your Lordship's government. It was expressly founded on the necessity of the case; it was stated to be temporary and transient in its nature; and an impatience was felt and signified to be relieved from the burthen of continuing such a law. I think that the demonstration of a fixed aversion to the renewal of any provisions of this law, which cannot be proved to be within the strict necessity of the case now existing, would not fail to produce a most salutary effect in the House of Commons, and in the mind of every liberal man in the country. I think an union is now more necessary than ever to meet the array of the enemy. This I believe would tend greatly to accelerate the Irish Tithe Bill, and other measures, and to bring the session to an early and tranquil conclusion. Your Lordship will perceive that some parts of this letter differ from my letter to Lord Melbourne of the 11th June; but I trust that the change of circumstances since that time will sufficiently justify the difference. In opening the subject of the renewal of this Act to Parliament, I am convinced that your Lordship will render justice to the spirit in which it has been administered. To the meetings, I have never applied it; I left the frantic project of the Repeal of the Union to destroy itself, by discussion and free reason; where I have applied the law, the cases were irresistible; and it was loudly and repeatedly demanded by the voice of the country. Even then I applied it reluctantly, and with every precaution; and it has everywhere been attended with complete effect. Your Lordship knows whether I have sought for the renewal of these tremendous powers (more dreadful perhaps to me, than to the people of Ireland) with less discretion than I have exercised them; and I rely on your Lordship and Lord Melbourne with the fullest confidence for my defence against any assaults, which may be directed, either upon any alleged violence or timidity in the exercise of the powers committed to me by this law, or upon any suggestions which I have offered for its amendment.

'Believe me, &c.,
(Signed) 'WELLESLEY.'

Our readers will form their own judgment as to the public or private character of this communication. The late Earl Grey described it as 'a private and confidential letter'—'an entirely private letter:' we regarded it, and still regard it, as an able and important secret despatch. But the most curious part of this transaction is, that Earl Grey himself, being unconvinced by the arguments in this letter, *wholly ignored its existence* in his speech of the 1st July, 1834, and on the contrary quoted to the House of Lords on moving the first reading of the bill, the *previous despatch* of the Lord-Lieutenant of the 18th April, in which the *opposite opinion* had been conveyed to the Government, although he knew by the letter of the 21st June that Lord Wellesley had altered that opinion. The present Lord Grey relies in the same manner on the previous despatches of the 15th and 18th April, which were laid before Parliament. We can only conclude that he is not aware of the contents and nature of the document to which we have now the honour to call his attention. The existence of that document was not disclosed till the day of his father's resignation; its contents were never disclosed at all; and although strenuous efforts were made in both Houses of Parliament to obtain the production of it, this was successfully resisted on the ground that it was a 'private communication.' Lord Melbourne himself remarked on this very letter that 'the distinctions between what is public and what is private are by no means defined or generally understood.' A communication on public affairs may, of course, be 'confidential' or 'secret,' but when it relates exclusively to some important public act, and is written, as this was, for an important public purpose, we agree with what Sir Robert Peel said with reference to the correspondence of the Duke of Wellington and Mr. Huskisson in 1823, that 'the character of the letter depends on the matter it contains, and not on the superscription.' Indeed in this case the copy of the letter in our possession is written on official foolscap, and the superscription is not 'private and confidential,' but 'secret'—the term usually employed in despatches of this nature. With the sole exception of the circumstance that it begins, 'My dear Lord' instead of 'My Lord,' it appears to us to have every mark of a secret despatch, though it was not so regarded by Earl Grey. Lord Grey speaks of his father's having brought in the Coercion Bill with the concurrence of the whole Cabinet and of the Lord-Lieutenant of Ireland, but he is too well informed not to be aware that this concurrence was formal and most reluctantly given, and that the opinions of the Lord-Lieutenant, the Irish Secretary, Lord Althorp, the Lord Chancellor, and we believe of Mr. Spring Rice, Mr. Abercrombie, Mr. and Ellice, if not of other members of the Government, had been opposed to that of the Prime Minister. He fails to show on what grounds his father persisted in his declaration that the bill was 'necessary to secure the public peace of Ireland,' when he had in his possession the declaration of the Lord-Lieutenant, that he did '*not* consider the clauses respecting meetings, as they stood in the Act, essential to the tranquillity' of that island. The contradiction is direct and explicit. Lord Wellesley did not intend to say or do anything in opposition to the wishes and policy of Lord Grey; his sole object in the whole mat-

ter was to do what was best for the Government; he therefore intimated in a subsequent letter that he should be satisfied with whatever course the Cabinet chose to adopt, and he did assent to the full renewal of the bill by a regular despatch of the 2d July. The Cabinet meeting at which it was decided to retain the obnoxious clauses in the bill was held at Holland House on Sunday 29th June. The bill was brought in on Tuesday 1st July. After the discussion of the 3d July in the House of Commons, and Lord Grey's declaration in the House of Lords on the 4th July, Lord Althorp resigned on the 7th July. We therefore repeat with confidence, that the determination of Earl Grey to retain the obnoxious clauses led to the resignation of Lord Althorp and to his own. No sooner had Lord Melbourne succeeded him, than Lord Althorp and Mr. Littleton resumed their offices, and the bill was passed without the clauses which Earl Grey had deemed essential. We, therefore, see no reason to withdraw or modify any portion of the statements we have made, except in reference to the use of the word 'official.'

The concluding lines of Lord Grey's communication scarcely admit of a precise answer, but we venture to submit to his Lordship that the public acts of eminent men must be judged of, especially after a considerable lapse of time, by written contemporary evidence rather than by recollection, however distinct. We hope that the whole correspondence relating to these transactions will one day be made available for the purposes of history, and whenever it is published it will corroborate the narrative we laid before our readers.

THE

EDINBURGH REVIEW,

NO. CCLXXIV.

OCTOBER, 1871.

ART. I.—*The Dialogues of Plato, Translated into English with Analyses and Introductions.* By B. JOWETT, M.A., Master of Balliol College, Regius Professor of Greek in the University of Oxford. In 4 vols. Oxford: at the Clarendon Press. 1871.

THE first remark that we have to make on these volumes is, that the ground before them was virtually unoccupied. It may seem strange that Plato should have remained so long untranslated into English, for Plato has, without doubt, exercised a considerable influence on some of the best minds in England, ever since the morning when Lady Jane Grey preferred to sit reading 'Phædo' in the window at Bradgate, while the rest went hunting in the park. Shakspeare, in more than one passage, exhibits a genuine inspiration from Plato, however derived,—as, for instance, in his exquisite allusion to the music of the spheres ('Merchant of Venice,' act v. sc. i.), and in his reference to the theory of Ideas in the sonnet beginning 'From you have I been absent in the Spring.' The stately style of Bacon is a good deal to be attributed to the influence of Plato, from whom (though he did not do him justice as a philosopher) he did not disdain to borrow his distinction of 'Idols' and 'Ideas' in general, and the particular figure of the 'Idols of the Cavern.' Of the Platonism in Hooker, Spenser, Milton, it is unnecessary to speak. The Cambridge Platonists of the seventeenth century handed down a tradition through Cudworth, Henry More, Leighton, and other great names, which served as a protest against the extremes of Lockeism, and which was taken up and revived by Coleridge. And yet to read Plato was reserved as a privilege for Greek scholars, and no one seems to have thought of translating him till the middle of the last century, when Sydenham, a member of Wadham College, Oxford, and not to be confounded with the great physician of the same name, translated nine of the Dialogues in very fair style and with very fair accuracy. These nine Dialogues were afterwards incorporated into a translation of the whole works of Plato, which the notorious Thomas Taylor brought out in the year 1804. Taylor's scholarship was quite inadequate to the task which he had undertaken. He appears to have translated more from the Latin version of Ficinus than from the original Greek, and he loaded his whole work with neo-Platonist glosses and notes, which served to show his incompetency to understand the thoughts of Plato. The incorrectness of his renderings and the general inadequacy of his representation of Plato, were pointed out in this Review (vol. xiv. 1809), and his five quarto volumes have long since receded into the limbo of unread books preserved in large libraries.

Only one other attempt has been made to translate the whole of Plato into English, and that attempt was not made as a substantive undertaking by itself, but as a part of the creditable enterprise of Messrs. Bohn to give all the Greek and Latin classics in a cheap form to English readers. Of the result, so far as Plato is concerned, only two things need be said: first, that no special attention was called to Plato by successive volumes containing translations of his Dia-

logues as part of a series of the entire classics; second, that a work of the kind cannot be properly done to order. To succeed as a translator of Plato, to breathe his spirit into the English language, and at all adequately to reproduce him, a man need have an inward calling and special aptitude to the task. To translate any part of Plato many qualities are required: such as refined scholarship, sympathetic philosophical imagination, an equal appreciation of poetry and of humour, and a poet's faculty of creating a new style in English fit to carry the Platonic turns of thought. But if it be a question of translating the whole of Plato, then the vastness of the undertaking must be borne in mind. This might well appal any but a stout heart. Many a charming episode and introduction might seem to invite the hand of the amateur translator. But when it comes to rendering with equal fidelity and conscientiousness all parts of such varied and voluminous writings, whether dry or interesting—and often they are as severe as Euclid—then, indeed, it would seem to require a peculiar zeal, and an almost religious sense of the ultimate worth of Plato's thought, to support the scholar in his task. These considerations may serve to explain to some extent the fact that there has hitherto been no adequate English version of Plato as a whole.

Translations of separate Dialogues we have occasionally had. Shelley's translations of 'Symposium' and 'Ion' were elegant in their way, and were doubtless widely read. Of late years several distinguished Greek scholars have been labouring in this field. Messrs. Davies and Vaughan have given us 'Republic' in English; Mr. Poste 'Philebus;' Mr. Cope 'Gorgias;' Mr. Wright 'Phædrus.' But the very separateness of these recent translations has caused them to appeal rather to the scholastic world, and to those who had a pre-existent interest in Plato, than to the general republic of readers. On the other hand, the late Mr. Grote's elaborate work on 'Plato and the other companions of Sokrates' had different aims and stood on a different footing from the volumes before us. Mr. Grote's book was 'a sequel and supplement' to his 'History of Greece.' It was an additional stride in his march through the Hellenic past. It was to be followed by an equally exhaustive account of the philosophy of Aristotle, and we look forward to an early posthumous publication of this work, though, alas! wanting the last touches of the master's hand. Mr. Grote's sympathies, it cannot be doubted, were rather with the modes of thought of Aristotle than with those of Plato. In his work on Plato he regards the Platonic writings from an external point of view, and judges them in reference to modern philosophy. In his excellent synopses of the contents of the Dialogues, he, of course, was not concerned to preserve the manner of Plato; he gives summaries of conversations, and not the conversations themselves. Professor Jowett's object is different; he aims at bringing us in contact with the very mind of Plato himself, evidently considering that to effect this would be an important contribution to the intellectual education of the age. In the execution of his task he found himself taking a different point of view on certain Platonic questions from that of Mr. Grote. He gracefully alludes to this in his Preface, which he concludes by saying: 'But I am not going to lay hands on my father Parmenides (Soph. 241 D.), who will, I hope, forgive me for differing from him on these points. I cannot close this Preface without expressing my deep respect for his noble and gentle character, and the great services which he has rendered to Greek literature.' A very short time had elapsed after these words were published, when Mr. Grote was borne to his resting-place in Westminster Abbey. And then, in accordance with the wish of Mrs. Grote, Professor Jowett, as the representative of Greek literature and scholarship, was invited to attend as one of the bearers of the pall. We cannot observe without admiration this relationship, so worthy of the courteous spirit of Plato, between two eminent men who certainly differed widely on a subject treated of by both, and who in a different age of literature would in all probability have appeared to each other only in the light of angry opponents.

From all that we have said it will be seen that the task of introducing Plato, in himself, and in his entirety, to the English mind, had yet to be undertaken. Probably no living man possesses qualifications for this task equal to those of Mr. Jowett. We pass over as subsidiary conditions the amount of Greek scholarship which is guaranteed by his position as Regius Professor in the University of Oxford, and the peculiarly subtle and elegant style in English which in former writings he has exhibited. Starting from these points of vantage, we go on to those acquirements and habits of mind which peculiarly qualify him for entering into and intrepreting the thought of Plato. Professor Jowett has been long remarkable for his attainments in the history of philosophy. He was the first, more than twenty-five years ago, to introduce the study of this subject into Oxford. At that time philoso-

phy, or, as it used to be called, 'science,' was a poor curriculum in Oxford. It was restricted almost entirely to the reading—careful but narrow, without comparison of other systems, and without comprehension of the point of view—of Aristotle's Rhetoric, Logic, and Ethics, and of Butler's 'Sermons' and 'Analogy.' Professor Jowett has been the chief cause of the great change in this respect which has been introduced into Oxford. Drawing on his own rich stores of reading and thought, which had far transcended the Oxford horizon of those days, he gave in Balliol College lectures on the history of philosophy, which fascinated the minds of those privileged to hear them. He influenced first his own college, and afterwards through his pupils, who rapidly obtained fellowships, examinerships, and other positions of importance, he influenced the University at large to appreciate and require a wider range of philosophical study. Especially, he introduced Plato's greatest work, 'Republic,' and the 'Novum Organum' of Bacon, with the outlines of the history of thought in ancient and modern times, as necessary additions to the old modicum of Aristotle, for an Oxford 'first-class.' Anyone who can compare the cultivation now attainable at Oxford with that of thirty years ago, will appreciate the results of the change which Mr. Jowett was the first to inaugurate. In the meanwhile, after himself sounding the depths of all the great philosophies of the world, he has always returned to Plato as to a first-love, And the book in which he now unfolds Plato to the many, is the result not only of the hours directly spent on it during many years, but it has the interest attaching to the fruit slowly ripened during a life; its motto might have been:—

'Vagliami il lungo studio e il grande amore.'

But yet Professor Jowett's sympathy with Plato does not render him a Platonist, in the sense either of resting in the conclusions of Plato, or of drawing mystical deductions from them, as neo-Platonists of all ages have been fond of doing; it merely enables him to understand and realise Plato, while his deep knowledge of the subsequent thought of mankind enables him to see the limitations of Plato's thought. He gives us no general dissertation on the Platonic philosophy, no systematical arrangement of it. But he puts each several dialogue in itself before us, with an introduction drawing out its meaning into the most lucid and charming light, and containing the most interesting and weighty remarks on subjects that naturally suggest themselves. The result, we may say generally, has been that no ancient philosopher has ever been brought to the comprehension of modern times so fully, so clearly, and with such perfect genuineness as Plato has now been brought to the comprehension of the English reader by Professor Jowett.

The book is inscribed by Mr. Jowett 'To my former Pupils in Balliol College and in the University of Oxford, who during thirty years have been the best of friends to me, in grateful recognition of their never-failing attachment.' This dedication is not only interesting in itself, but it serves to remind us of a peculiar and personal qualification for becoming the expositor of Plato, which the present Master of Balliol alone could claim. Not only has Mr. Jowett a general sympathy for Plato's method of treating the questions of philosophy, but it is also well known that he is a kindred spirit with the chief character in the Platonic Dialogues. Probably no one in modern times has given in real life, whether consciously or unconsciously, so close a reproduction, *mutatis mutandis*, of the Platonic Socrates, in his character of an educator of youth. Nowhere but at a University could such a phenomenon now-a-days have presented itself—the phenomenon of a man, with powers of mind far above those generally thought necessary for a teacher, devoting himself to the development and correction of the thought and character of young men, generation after generation, not so much by the teachings of the lecture-room as by friendly intercourse, walks, and conversations, genuine interest in their concerns, sympathetic advice, toleration of their crudities, keen-edged refutation of their absurdities, veiled dialectic and *badinage* concealing earnestness—all employed with the most single-minded and noble purpose. Such a phenomenon the University of Oxford has 'during thirty years' witnessed; and it is in reference to this that we say that there is a peculiar interest in the fact of Professor Jowett inscribing his exposition of the Platonic Socrates to his 'former pupils.'

We have now to examine the way in which his task as a translator has been executed. Many philosophers are really untranslateable into literary English. This seems to be the case with Kant and Hegel; at all events in their strictly philosophical writings. And the same might be said of Aristotle, whose language is not the language of common life or of literature, but stands by itself—a stiff concrete of philosophical terms, each with its own scientific association. Thus Aristotle can never be turned into literary or easily readable English, without too great an alteration of his

manner, and without sacrificing in the process much that is essentially Aristotelian. But with Plato the case is different. Plato's philosophical writings are simply the greatest masterpieces of prose that the world has seen. The language is never for a moment that of a cut and dry technology. In the first place, the phraseology of logic and metaphysics had not in Plato's time been settled down into a repertory of fixed terms. And, in the second place, as Plato almost always exhibits philosophy in the process of being worked out in conjunction with unphilosophical personages, so the point of departure in the Dialogues is the ordinary thought of refined and cultivated, but not scholastic, circles. The atmosphere is that of polite Athenian society, and the language is correspondingly natural and unpedantic. Out of this ordinary level, in which the familiarity and domestic meanness of the illustrations used are often striking, Plato rises ever and anon to an elevation of thought and diction which has called forth the admiration of subsequent ages. Shelley, having such passages in his mind, says: 'Plato exhibits the rare union of close and subtle logic with the Pythian inspiration of poetry, melted by the splendour and harmony of his periods into one irresistible stream of musical impressions which hurry the persuasions onward, as in a breathless career. His language is that of an immortal spirit, rather than a man. Lord Bacon is, perhaps, the only writer who in these particulars can be compared to him; his imitator, Cicero, sinks in the comparison into an ape mocking the gestures of a man.' In these expressions, however, so characteristic of his own temperament, Shelley recognises only one aspect, and that by no means the predominant aspect, of Plato's writing. He speaks as if Plato were always poetical, earnest, and 'intense,' whereas Plato is far more often dramatic, ironical, and humorous. It is easy to see that in translating 'Symposium,' Shelley mistook Plato's parodies of the fine writing of *littérateurs* for fine writing pure and simple on the part of Plato himself.

No such mistake is ever made by Professor Jowett, whose greatest strength, as a translator, lies perhaps in his keen appreciation, and his lively reproduction, of the dramatic humour in Plato. Nothing can exceed the riotous good spirits, and therein perfect fidelity to the original, of his translation of 'Euthydemus,' in which the characters of two overbearing Sophists, a timid youth, and his straightforward and irascible friend, are played off against one another by the sagacious Socrates, and the fashion of quibbling and making verbal fallacies is turned to ridicule. There is another phase of Plato's Dialogues which Professor Jowett is peculiarly happy in representing, namely, wherever Socrates, with the greatest urbanity and politeness, and at the same time with consummate skill and relentless logic, keeps a rude antagonist in hand, and forces him by degrees to accept conclusions alien from, and higher than, his ordinary point of view. As an instance of this, the conversation with Callicles at the end of 'Gorgias' may be referred to. But almost any one of the Dialogues might serve as a study of the art of debating in private life; and this quality in them Professor Jowett admirably preserves.

It is only fair to consider the general effect, and the whole, in Professor Jowett's translation, before looking at the parts; because we cannot help believing that it has been his own method, as a translator, to think of the whole, that is of the spirit of Plato's writing, first, and to endeavour before all things to give a general impression of this. We think that this method must be the correct one, especially in making a translation which is meant for English readers; and not for scholars holding the Greek in one hand, and comparing it word for word with the English. Professor Jowett had to give an equivalent for smart and lively Greek conversations. Had he adopted the method of verbal renderings, with an eye merely to each separate clause as it came, the result would have been that the whole would have been heavy and unreadable. In many respects the genius of the ancient Greek and of the English languages are different. English is more rough, abrupt, and elliptical; while in the Greek the sentences are smoothly connected together by particles indicating the course of thought. On the other hand, English has its own turns, and in some cases is more explicit than the equivalent Greek. Professor Jowett had all this to attend to, and in writing for English readers above all to write readable English. In this he has succeeded perfectly, and in the general manner of his renderings we have hardly anything to complain of. If in this respect he has a fault, it is that he has occasionally a little overdone what he legitimately aimed at. In making the dialogue lively, he has occasionally made it a little too smart; and in the compression which he has used, he seems to us to have occasionally made Plato a little too curt, and to have sacrificed sometimes, when he might have preserved, the stately rhythm of the original. Professor Jowett appears to conceive of translation as the art of giving analogous impressions. To produce an analogous impression he would not hesitate to make a long sentence short,

or a short sentence long, or to entirely invert the order of clauses in a sentence. Nay, further, he would depart from the letter of the original altogether, and substitute for a literal translation of the Greek some catch-word of modern times, which is strongly suggested to his own mind, and which appears to him calculated to produce in the reader's mind an impression analogous to what the Greek text would have produced on the mind of an ancient Greek. Following out his method in this direction, he inclines to substitute for the words of Plato not only the conventional phrases of modern society, but also those stock phrases of English literature which have become 'household words' among us. Professor Jowett's own style of writing has always been what we might call a 'loaded' style—that is, rather over rich in literary allusion, and in the use of those

> 'Jewels five-words-long
> That on the stretch'd forefinger of all Time
> Sparkle for ever.'

And it comes quite naturally to him to employ the same style in translating Plato; he renders Plato into such English as he himself would use in writing—English not all fresh coined in his own mint, but ever and anon containing pieces as it were previously current, having been coined in the mints of the great masters of English poetry and prose. The result is, that to some extent a medley of styles is produced. On the one hand, we find the extremest modern colloquialisms used to represent Plato (such phrases, for instance, as 'and no mistake'); on the other hand, when, as often happens, the style of Shakspeare, and of the authorised version of the Bible, are resorted to, then an archaic phraseology makes its appearance. Professor Jowett's foible in this work seems to have been to train Plato to copy the Bible, as Lord Strangford was said to have 'taught the Lusian bard to copy Moore.' Thus, in 'Phædrus,' 243, E, we have ἀλμυρὰν (briny), translated 'gall and vinegar' in obvious allusion to Psalm lxix. 22; in 'Symposium,' 197, D, we have Love described as 'making men to be of one mind at a banquet,' in reference to Psalm lxviii. 6, (Prayerbook version); in 'Phædo,' 66, C, we find the sentence καὶ γὰρ πολέμους καὶ στάσεις καὶ μάχας οὐδὲν ἄλλο παρέχει ἢ τὸ σῶμα καὶ αἱ τούτου ἐπιθυμίαι, rendered, 'For whence come wars and fighting, and factions? Whence but from the body and the lusts of the body?' in which the only point observable is the form of the sentence—chosen apparently to remind us of St. James Ep. iv. 1.

One of the little devices which Professor Jowett employs to give a Scriptural colouring to the phraseology of Plato, is the frequent use of the archaic form, 'such an one,' instead of the modern 'such a one;' if, indeed, the phrase at all can be said to be in ordinary modern use. We confess that we do not see the advantage of turning the sentences of Plato so as to make them remind people of passages in the Bible. The allusive parts of Professor Jowett's translations grow out of, but are something different from, his method of analogous impressions, and are less justifiable. If the method of analogous impressions be accepted (and we think it fairly may be) as the legitimate mode of conveying the sense of an ancient Greek writer to the minds of English readers, then it becomes a matter of taste to settle within what limits it shall be used, how far a mixture of various styles may be allowed, and what amount of departure from the literal text may be permitted. As a crucial instance, we would ask, is, or is not, the following use of an analogous impression permissible? In 'Protagoras,' 328, E, Professor Jowett writes:—'Protagoras ended, and in my ear

> "So charming left his voice, that I the while
> Thought him still speaking; still stood fixed to hear."'

The Greek is in plain prose, Πρωταγόρας μὲν τοσαῦτα καὶ τοιαῦτα ἐπιδειξάμενος ἀπεπαύσατο τοῦ λογου. Καὶ ἐγὼ ἐπὶ μὲν πολὺν χρόνον κεκηλημένος ἔτι πρὸς αὐτὸν ἔβλεπον ὡς ἐροῦντά τι, ἐπιθυμῶν ἀκούειν. But yet the quotation of which Professor Jowett has availed himself gives an exactly analogous impression to that made by the words of the original.

The purists in Greek scholarship may cry out against a bold stroke like this, but this is not the sort of thing in Professor Jowett's translation to which we would take exception. There is no doubt that his method of aiming at general effect and of looking at speeches and remarks in the whole, has occasionally—we may say frequently—led to his dealing too loosely with particular clauses. He seems sometimes not to have looked hard enough at the Greek words. Hence, when rigidly compared with the Greek, his translation, though it comes out of the ordeal much better than many people might expect, frequently exhibits a looseness, sometimes even a disregard of accurate scholarship, which one must regret. And these are the blemishes which we should like to see removed. They lie on the surface, and we are only surprised that Professor Jowett's coadjutors, who are

named in his Preface, should have suffered them to continue. To show exactly what we mean, we will go through one Dialogue—'Symposium,'—which is one of the least exactly translated in all these volumes, and pick all the holes we are able in Professor Jowett's rendering of it. We have compared Professor Jowett's version with the translations both of Sydenham and Shelley, and there can be no doubt that it is far superior to both of them. Sydenham's is plain and praiseworthy, but heavy. Shelley's, with constant blunders of scholarship, is elegant, but loses all the dramatic humour. Professor Jowett's translation gives the dramatic effect of the whole, is for far the greater part as admirable as it is possible to be, and taking fault for fault is more correct even than Sydenham's. The following are the particular renderings in it to which we would venture to object:—

In 'Symposium,' 173, D, occurs an instance of Professor Jowett improving upon Plato, by introducing a play on words not to be found in the original. He renders *ἐν μὲν γὰρ τοῖς λόγοις ἀεὶ τοιοῦτος εἶ, σαυτῷ τε καὶ τοῖς ἄλλοις ἀγριαίνεις πλὴν Σωκράτους*, 'for your humour is always to be out of humour with yourself and with everybody except Socrates.'

173, E, is another instance of a similar departure from simplicity. He translates *διήγησαι τίνες ἦσαν οἱ λόγοι*, 'repeat the tale of love.'

Professor Jowett frequently resorts to daring and happy inversions of the Greek order of words and clauses, so as to give the exact sense of the original in a form thoroughly English and natural. But in page 174, D, E, he makes a slip in attempting an inversion of this kind. Aristodemus relates how Socrates stopped on his road to the party in a fit of abstraction, and that he himself went on before, not having been invited; and that, arriving at the house of Agathon, he found the door open, 'and that he felt rather absurd for the moment' (*καί τι ἔφη αὐτοθι γελοῖον παθεῖν*) for a servant meeting him led him straight to where the guests were reclining. Professor Jowett takes the clause quoted, and transfers it from its place to the beginning of the whole incident, translating it: 'This was the style of their conversation as they went along; *and a comical thing happened*—Socrates stayed behind,' &c. It may be observed that Sydenham had rendered the clause correctly.

In 174, E, Professor Jowett, quite unusually for him, falls below the smartness of Plato. Aristodemus explains that he had come by the invitation of Socrates, who had been with him a moment before. 'You were quite right in coming, said Agathon, but where is the fellow?' (*ἀλλὰ ποῦ ἔστιν οὗτος;*) Professor Jowett writes, 'but where is *he himself?*'

In 175, A, what looks like a serious slip in scholarship occurs. *Καὶ ὃ μὲν ἔφη ἀπονίζειν τὸν παῖδα, ἵνα κατακέοιτο· ἄλλον δέ τινα τῶν παίδων ἥκειν ἀγγέλλοντα* is translated 'Then he said that the attendant assisted him to wash, *and that he lay down*, and presently another servant came in and said.' Whereas it should have been: 'Then he said that while the attendant was washing his feet, *in order that he might lie down*, another of the servants came and announced.'

In the next line, the tone of the servant's announcement is unnecessarily altered. The Greek is *Σωκράτης οὑτος ἀναχωρήσας ἐν τῶν γειτόνων προθύρῳ ἕστηκε, κἀμοῦ καλοῦντος οὐκ ἐθέλει εἰσίεναι.* Mr. Jowett renders it: 'He said that our friend Socrates had retired into the portico of the neighbouring house. "There *he is fixed*, and when I *call to him*," said the servant, "he will not *stir*."' Whereas the simple rendering would be—'*That* Socrates is standing back in the neighbours' portico, and when I invite him to come in, he refuses.'

In 175, D, there is the appearance of an inadmissible view of the text. Agathon bids Socrates sit next him, *ἵνα καὶ τοῦ σοφοῦ ἁπτόμενός σου ἀπολαύσω, ὅ σοι προσέστη ἐν τοῖς πρόθυροις*, which Mr. Jowett renders: 'that I may touch the sage, he said, and get some of that wisdom which came into your mind in the portico.' But *τοῦ σοφοῦ* is neuter, and has nothing to do with *ἁπτόμενος*. What Agathon says, is 'that by touching you I may have the benefit of that piece of wisdom which came to you in the portico.'

In 175, E, Socrates does not say, as Professor Jowett makes him, 'In comparison my own wisdom *is* of a very mean and questionable sort,' but, ironically, '*must surely be*' (*ἂν εἴη*).

A little lower, *νῦν δὲ πρὸς τὸ δεῖπνον πρῶτα τρέπου* is somewhat poorly rendered by Professor Jowett: 'But at present you are better occupied *with the banquet*,' which would be a curious term for a host to use. Shelley's translation is more natural: 'at present turn to your supper.'

In the next page, 'all agreed that *drinking* was not to be the order of the day' should rather have been 'hard drinking' (*διὰ μέθης*) as opposed to the *ῥαστώνην τινα τῆς πόσεως* or 'easy drinking' which the company agreed upon.

In 177, C, *Ἔρωτα δὲ μηδένα πω ἀνθρώπων τετολμηκέναι εἰς ταυτηνὶ τὴν ἡμέραν ἀξίως*

ὑμνῆσαι is rightly rendered by Sydenham: 'and yet that no man should ever to this day have *undertaken* to give Love his due praises.' Whereas, Professor Jowett puts it 'that to this day no one has ever *dared* worthily to hymn Love's praises.'

In 187, A, *τὸ ἓν γάρ φησι διαφερόμενον κ.τ.λ.*, might for the sake of the English reader have been written: 'that the One is united by disunion,' instead of 'that one is united,' of which the meaning does not at once suggest itself.

In 196, B–E, the point of Agathon's verbal and punning arguments is more than once lost by slight alterations in the words used. Agathon argues that Love must be just 'because all serve him of their own free will, and wherever two parties agree willingly, the laws which rule the state declare that the contract is just.' Professor Jowett puts it '*where there is love as well as obedience*, there, as the laws which are lords of the city say, is justice.' Again, Agathon argues that Love must be temperate, because temperance consists in being superior to pleasures and desires, 'and no pleasure is superior to love.' Professor Jowett renders it: 'No pleasure ever masters love;' by which rendering the pun is lost. Again, Love must be brave, for not even Ares can withstand him, being held (or possessed) by the love of Aphrodite. 'But he that holds is stronger than he that is held,'—which Professor Jowett generalizes into 'And the master is stronger than the servant.'

In 196, E, *πρῶτον μὲν ποιητὴς ὁ θεὸς σοφὸς οὕτως, ὥστε καὶ ἄλλον ποιῆσαι.* Professor Jowett probably did not misunderstand this sentence, but he translates it as if he had done so. He writes: 'For in the first place he is a poet, and he is also the source of poesy in others, which he could not be if he were not himself a poet.' This looks as if *καὶ ἄλλον* were taken to answer to *πρῶτον μὲν*, whereas Agathon treats 'firstly' of Love's wisdom or skill in poetry, and afterwards of his wisdom or skill in the other arts. The whole rendering of the passage is unnecessarily loose.

Two lines below, 'that Love is a good poet and *accomplished in all the musical arts*' is an inadequate rendering of *ὅτι ποιητὴς ὁ Ἔρως ἀγαθὸς ἐν κεφαλαίῳ πᾶσαν ποίησιν τὴν κατὰ μουσικήν.* Sydenham's translation, though heavy, is better: 'to prove Love an excellent poet in all that kind of creative power which is the proper province of the Muses.'

In 197, E, we have a strong instance of Professor Jowett's method of analogous impressions. Agathon, in a florid peroration, says that Love is *φιλόδωρος εὐμενείας, ἄδωρος δυσμενείας*, which Professor Jowett renders: 'giving friendship, and forgiving enmity'—not, of course, misunderstanding the Greek, but treating this part of the speech as mere empty sound; and considering that the first point to be aimed at, was to furnish a verbal antithesis, no matter what. We do not much object to this, though he might have put it 'diffusing benignity, refusing malignity,' or anything else of the kind. Sydenham and Shelley, going more literally to work, did not see that it was their first duty under the circumstances to provide a pun.

In 199, C, Professor Jowett improves on Plato by introducing an ironical touch of his own. He makes Socrates say: '*In the magnificent discourse which you have uttered*, I think that you were right, my dear Agathon, in saying that you would begin,' &c. The Greek is simply, *Καὶ μὴν, ὦ φίλε Ἀγάθων, καλῶς μοι ἔδοξας καθηγήσασθαι τοῦ λόγου, λέγων, κ.τ.λ.* 'Well, my dear Agathon, you seemed to me to make a good arrangement of your discourse, in saying.'

In 204, D, we fear that there is no resource but to attribute to Professor Jowett a construction of the Greek words which is quite untenable. The words are *ἔστι δὲ τῶν καλῶν ὡς σὺ φῄς. Εἰ δέ τις ἡμᾶς ἔροιτο, Τί τῶν καλῶν ἐστιν ὁ Ἔρως; ὧδε δὲ σαφέστερον ἐρῶ, Ὁ ἐρῶν τῶν καλῶν τί ἐρᾷ; καὶ ἐγὼ εἶπον, ὅτι Γενέσθαι αὐτῷ.* Professor Jowett renders them: 'You acknowledge that love is of the beautiful. But some one will say: *Of the beautiful in what?*—or rather, let me put the question more clearly, and ask: When a man loves the beautiful, *what does he love?* I answered her, That the beautiful may be his.' *Τί ἐρᾷ* cannot mean '*what* does he love?' for *ἐρᾶν* requires the genitive case. The whole passage must be taken: 'Love, you say, is of the beautiful. But why is it of the beautiful? Or to put the question more clearly, when a man loves the beautiful, why does he love it? I answered, That it may become his own.' *Τί*, as Stallbaum reminds us, is for *κατὰ τί* or *διὰ τί*, 'in what respect?' 'with what view?' 'for what reason?' 'why?'

In 205, D, Professor Jowett deals somewhat hazily with the Greek; he also appears to us to introduce a new reading not warranted by the MSS.: *Ἀλλ' οἱ μὲν ἄλλῃ τρεπόμενοι πολλαχῇ ἐπ' αὐτόν, ἢ κατὰ χρηματισμὸν ἢ κατὰ φιλογυμναστίαν ἢ κατὰ φιλοσοφίαν, οὔτ' ἐρᾶν καλοῦνται οὔτ' ἐρασταί.* 'But those who, having their affections set upon him, are yet *diverted into the paths* of money-making or *gymnastic*

philosophy, are not called lovers.' The point is, that all pursuits are instigated by love, but that the terms 'loving' and 'lovers' are, in common language, restricted to one particular pursuit out of the many that love instigates. It is then said, 'Those who in many other ways are the votaries of love, whether in the pursuit of money-making, or of bodily exercise, or of philosophy, are not called "lovers" or said to "love."' Professor Jowett drops out ἤ between κατὰ φιλογυμναστίαν and κατὰ φιλοσοφίαν; apparently from an unwillingness that philosophy should be ranked with money-making and gymnastics. But it is certainly true that in common language, which is the point in question, philosophy is not, any more than money-making, identified with love; and Plato could never have written κατὰ φιλογυμναστίαν κατὰ φιλοσοφίαν, meaning 'gymnastic philosophy.'

In 206, B, a slightly different, but analogous, idea is introduced by Professor Jowett in rendering Μαντείας, ἣν δ' ἐγώ, δεῖται ὅ τι ποτὲ λέγεις, 'The oracle requires an explanation, I said,' instead of 'One need be a conjuror, I said, to tell what you mean.' The succeeding lines, which are meant by Plato to be particularly clear, are not so lucid as Professor Jowett generally makes the didactic pieces. He seems to have a particular aversion to using the words 'ugly' or 'ugliness,' which are the natural opposites of 'beautiful' and 'beauty,' and which would serve the purpose required better than 'deformity' and 'foulness,' by which Profsesor Jowett prefers to render τὸ αἰσχρόν.

In 208, B, 'Marvel not at the love which *all men* have of their offspring,' should be 'which *every creature* has of its offspring' (τὸ αὑτοῦ ἀποβλάστημα φύσει πάν τιμᾷ).

In 209, B, 'When he finds a fair and noble and *well-nurtured* soul' should be 'a fair and noble and *gifted* soul,' εὐφυῆς always meaning in Greek 'well-endowed by nature,' as distinguished from the results of education.

In 212, B, an unnecessary improvement of Plato is introduced. The text is simply Ταῦτα δή, ὦ Φαῖδρέ τε καὶ οἱ ἄλλοι, ἔφη μὲν Διοτίμα; 'Such, Phædrus and the rest, were the words of Diotima.' But Professor Jowett makes it: 'Such, Phædrus—*and I speak not only to you but to all men*—were the words of Diotima.'

In 212, C, '*the company* applauded,' should be 'some applauded,' (τοὺς μὲν ἐπαίνειν).

In 212, E, we know not why Professor Jowett should have written 'a massive garland of ivy and *wallflowers*,' instead of 'a massive garland of ivy and *violets*' (ἴων).*

In 217, E, we rather miss that happy art of introducing a gloss into the text, which Professor Jowett elsewhere resorts to. The words are πρῶτον μέν, τὸ λεγόμενον, οἶνος ἄνευ τε παίδων καὶ μετὰ παίδων ἦν ἀληθής. Professor Jowett's translation hardly gives a meaning which explains itself to the English reader—'Yet as the proverb says, *in vino veritas*, whether there is in boys or not.' It would be clearer, at the expense of a few more words, to say: 'In the first place the proverb used to be (ἦν) that "wine and children are candid:"—whether children are so or not, at all events wine is candid.' Οἶνος καὶ παῖδες ἀληθεῖς is the proverb referred to.

In 220 C, Professor Jowett neglects to give in metrical form, which would have been easy enough, the line from the Odyssey with which Alcibiades introduces the story of the trance of Socrates—

Οἷον δ' αὖ τόδ' ἔρεξε καὶ ἔτλη καρτερὸς ἀνήρ.

He simply renders it: 'the doings and sufferings of this enduring man.'

A little lower (and this is the last hole which we shall pick), he confuses the narration by an unnecessary addition of words. The Ionians had set a watch to see if Socrates would stand thinking all night. 'Ο δὲ εἰστήκει μέχρι ἕως ἐγένετο καὶ ἥλιος

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* It is true that the word ἴον (which, being written originally with the digamma, is identical with the Latin *vio-la*) appears to have been applied by the Greeks to several quite distinct flowers. In Homer, 'Od.' v. 72, it is described as growing in marshy meadowlands, and may probably there mean the 'crocus.' In Dioscorides, the λευκόϊον is described as a cruciform plant, answering to our 'wallflower' (*cheiranthus cheiri*), while the μελάνιον corresponds to our 'violet' (*viola sylvestris*). In Pindar, 'Ol.' vi. 35, the babe Iamus is described as lying in a pathless thicket, 'his tender body flooded with the yellow and the all-purple rays of the ion-flowers' (ἴων ξανθαῖσι καὶ παμπορφύροις ἀκτῖσι βεβρεγμένος ἁβρὸν σῶμα). And here either 'yellow crocuses' and 'purple crocuses' are meant, or else (less probably) the 'wallflower' and the 'violet.' Our own forefathers called the wallflower 'yellow violet;' the Dutch still call it 'violier,' and the Spaniards 'violette amarella.' But why should Professor Jowett have determined that the ἴα worn by Alcibiades were of the yellow type, and therefore 'wallflowers'? There is some little interest in the question, for on the answer to it depends the claim of Athens to be called 'the City of the Violet-crown.' The glorious epithet ἰοστέφανοι, invented for Athens by Pindar, was especially dear to the Athenians (see Aristoph. 'Acharn.' 636). Did he mean by it 'violet-crowned,' or 'wallflower-crowned'? We can hardly believe that when he called the Muses ἰοπλόκαμοι (Pyth. i. 1.) he meant to compare their tresses to 'wallflowers.'

ἀνέσχεν, ἔπειτα ᾠχετ' ἀπιὼν προσευξάμενος τῷ ἡλίῳ. 'But he stood till it was dawn and the sun rose, then he offered up a prayer to the sun, and went his way.' Professor Jowett renders it, 'There he stood all night *as well as all day and the following morning;* and with the return of light he offered up a prayer to the sun, and went his way.'

Anyone can see that the above criticisms of Professor Jowett's translation of 'Symposium' are often *de minimis;* and when their minute character is considered, it is certainly a testimony to the accuracy, as well as general excellence, of the translation, that we should not have more of the kind to adduce. We might have enlarged our list of grumblings by reference to the other Dialogues. But enough of this ungracious task. The blemishes which exist may well in so large a work, and especially in regard to Professor Jowett's method of translation—so free and bold in its scope—be treated as the misprints which every author overlooks in his writings; and it may certainly be expected that a second edition, after the 'refrigeratio styli' which will have intervened, will show us this great work clear of most of that at which even an exacting criticism might carp. Among the trifling corrections which 'the humour of the scholar' would desire, we would ask Mr. Jowett to make his titles of the Platonic Dialogues uniform. He was doubtless correct in writing 'Apology,' 'Statesman,' 'Sophist,' 'Laws,' without the article, as titles of some of the Dialogues. But why should he have written '*The* Symposium,' '*The* Republic,' as titles of others? Another more material improvement which we would humbly suggest, is that the Introductions to some of the Dialogues should be lightened by cutting down the 'Analyses' which they contain. The introduction to 'Phædo' is a model for this kind of writing; the analysis of the dialogue restricts itself to an outline or indication of the most salient points of the argument, and on these Professor Jowett offers the most interesting remarks. The result of such a process is to whet the reader's appetite for the dialogue itself, and to make him anxious to see the outline filled up. But in the Introductions to 'Republic' and 'Laws,' Professor Jowett gives us, if we might be pardoned such a metaphor, too substantial a luncheon. The analysis in each case is the whole dialogue, only slightly compressed; it is in each case much too long and too faithful to give us that vivid *conspectus* of the points to be attended to, which we could desire; if we get through the analysis and come to the dialogue, we feel ourselves dulled by a sense of the repetition. On the whole, we should be inclined to expect that very few of those who take Professor Jowett's volume in hand, will read through both 'Laws,' and the analysis by which the dialogue is forestalled.

Turning now to the matter of the Platonic writings thus conveyed to us, we find ourselves in a position to take a comprehensive view of the whole. We find the results of a long philosophic life—of forty or fifty years of authorship—unfolded before us. We find these results embodied in twenty-seven Dialogues, two of them of considerable length, and occupying each nearly 350 pages of large octavo in the translation—the others of varying dimensions from a hundred to ten or twelve pages. The study of these Dialogues shows that they contain the setting forth of no preconceived system. We find that, however much they exhibit 'a common spirit," there is no 'unity of design in the whole.' We must not suppose that the philosopher who was the author of them had settled, before he began to write, the truths which he had to impart to the world, and that he wrote some Dialogues as introductory and as leading the way to the acceptance of truths to be unfolded in other Dialogues. We must not suppose (though Schleiermacher and others have done so), that the Dialogues can be arranged in groups, forming successive or co-ordinate parts in an organic series. Rather we see the progress of a philosophic mind, working its own way to the light, first on one question, then on another; under different successive influences of the philosophy of others; starting from different stages of knowledge and conviction; often abandoning former conclusions; looking at questions anew from fresh points of sight; thus, inconsistent and self-contradictory, and yet, by the dramatic form adopted, escaping the reproach of this, and always, beyond question, true to truth and to morality.

This view of Plato, as an inquiring spirit—as 'a great original genius struggling with unequal conditions of knowledge,' as never dogmatic, but rather as a poet or creator of ideas, and an exponent of the method of the search for thought—is not the view commonly taken of him, but it is the view which Professor Jowett continually suggests to us, and which an examination of the Dialogues in their entirety confirms. One may ask, at what point in the fifty years of authorship was Plato most himself? In which of the Dialogues can we put our finger on the most essential features of his philosophy? Where are to be found the conclusions which we can carry away from these volumes for the guidance of life? The an-

swer must be, Nowhere and everywhere. Plato is to be regarded as a dynamical force; it is by imbibing his spirit, rather than by garnering his conclusions, that we shall learn anything from him. As Professor Jowett says, 'We are not concerned to determine what is the residuum of truth in Plato which remains for ourselves. His truth may not be our truth, and nevertheless may have an extraordinary value and interest for us.'

It is obvious, then, that the Dialogues of Plato have quite a different object and meaning from the dogmatic Dialogues of Bishop Berkeley, in which Philonous obtains ingenious victories over Hylas, and sets forth triumphantly the conclusions with regard to 'matter' at which Berkeley had previously arrived. We have no wishes to disparage Bishop Berkeley's Dialogues, but only to show their difference from those of Plato. We have only to open the volumes before us to see that in the earlier Dialogues of Plato, so far from a foregone conclusion being announced, no conclusion at all is arrived at, except perhaps this: that a deeper method of inquiry must be used than ordinary people are accustomed to, in order to answer simple questions, such as settling the definition of Temperance, or Friendship, or Courage.

It may be asked whether any account can be given of Plato's adopting this particular form of writing? And there seems great probability in the supposition that Plato was led to it by a sort of accident. The personality of Socrates had made an overpowering impression on his youthful mind; he was doubtless for ever rehearsing to himself the striking and original discussions in which his master refuted and instructed others. He felt the creative impulse, not, like Xenophon, to make tame notes of the conversations of Socrates, but to reproduce them in poetic, that is, analogous, truth, with all the living characteristics of the personages. He made his first essay in some little Socratic dialogue. This may have been 'Lysis,' of which there is a tradition that it was written in the lifetime of Socrates, and afforded him much amusement. This first essay must have revealed to Plato his own marvellous dramatic powers; further essays probably revealed to him more and more what a potent instrument the dialogue might become in his hands for the exposition of true methods of inquiry; for exhibiting the philosopher in his true attitude of conscientious search; and for contrasting all that was most shallow, commonplace, worldly, and false in the modes of thinking of his contemporaries, with that which he himself esteemed highest and most sacred. This, then, was the *genesis* of the Platonic dialogue; it arose from a half-playful attempt 'to depict the teaching of Socrates in a dramatic form,' it grew in earnestness, and the ever-deepening thoughts and glorious imaginations of Plato were still conveyed by a Socrates who had gradually become very different from the real one. At last the character of Socrates altogether disappeared, and the Dialogues having now lost their greatest charm, 'the reflections of Plato upon Hellas and the world' were put into the mouths of personages who have no dramatic interest.

The form of the dialogue as employed by Plato gave rise to many peculiar and charming characteristics with which the writings of a philosopher are not usually accompanied. In the first place, there is a setting, a *mise en scène*, for the various discussions, which transports us into the middle of the Athens of the fourth century before Christ. We are introduced into various phases of the bright and brilliant society of that wonderful city. We see, as in a glass, the groups assembled in the Palæstra, Socrates just returned from the wars coming to revisit his old haunts, the folk crowding round him to get the news, the beautiful boy Charmides—good as he was beautiful—coming in attended by a crowd of worshippers, Socrates, by the magnetic charm of his talk, securing the fair youth's attention, and then all other interests being absorbed in the efforts of the whole company to unravel the intellectual puzzles which Socrates draws out of the simple question, What is Temperance? We see the early morning habits of the Athenians and the influx of visitors at break of day to the house where the great Sophist Protagoras had come, in the course of 'starring it' through Greece, to stay for a time. We see how eager all are, just as St. Paul afterwards described them, 'to hear and tell of some new thing.' We hear the quotations from the poets who were in vogue, and the plaudits of the assembly at any new quibble or ingenious play on words. We are introduced to a supper-party of the wits of the city. We see the grand manners of the host, the youthful poet Agathon, who had just received the prize for his first tragedy. We hear the lively banter of the guests, and observe at the same time the strenuous intellectual exercise with which they resolve to amuse themselves over their cups. We see Alcibiades, as a 'strayed reveller,' coming in garlanded and drunk, to break up the propriety of the assemblage, and to blurt out strange stories of himself and Socrates. At another time we see Socrates and the Pedantic Phædrus walking

out, like Faust and Wagner, into the country under the Athenian midsummer sun, along the sparkling Ilissus, amid blooms and odours and the song of the cicala and all the charms of nature, which the Master alone has soul enough to appreciate. Again, we assist at the forms of a great Athenian state trial, and hear the defence of Socrates, who is being tried for his life on the charge of having corrupted the youth of Athens. Afterwards, we are present with the sage in his condemned cell, and listen to that calm and half-inspired talk on the immortality of the soul, which has made so deep an impression on the world.

These, and many other such pictures form the settings of the philosophy of Plato. Hegel, in a most amusing passage of his 'Lectures on the History of Philosophy,' treats them all like the painted outside of a show-booth at a fair—as if they were merely for the purpose of enticing people to come in. He says that many are attracted by the flowery introductions to Plato's Dialogues, and the descriptions of a palæstra or a plane-tree, or something of the kind. And they are full of eagerness because they hope that it will be all like this. But presently they have got through the introduction, and they come upon long stretches of thorny dialectics—no more flowers, but only difficult discussions on the One and the Many, on the possibility of asserting anything about the Non-existent, and so on. Then their hearts sink within them, and they 'go away sorrowing like the young man in the New Testament.' 'And perhaps,' adds Hegel, 'they take to studying Fries, or Heaven knows whom' (we might say, for instance, 'Abercrombie on the Moral Feelings'), and they fancy themselves philosophers, while all the time it is only that their 'breasts are swelling with generous aspirations.' To Hegel there is nothing else in Plato really worth attending to, except such passages as treat of the absolute Idea in all its various relations to matter, negation, the world, and the individual mind. If Plato be regarded as a philosopher for philosophers, this view may be the true one. But in the Dialogues themselves we find Socrates for the most part discoursing with those who were enlightened and educated men, but not professed philosophers. And therefore it might be thought that the Dialogues had a word for men of this kind in all ages. At all events, the proof of this can be obtained by trying. Of course no profound or really adequate study of Plato can be made without grappling with the subtleties in 'Parmenides' and 'Sophist.' But even without this it appears to us that many different minds, to some of whom a little judicious skipping might occasionally be condoned, may in various ways find pleasure in these rich pages, and may obtain from them an impulse not to be despised.

The keen interest felt by the Athenians themselves in the sort of discussions which Plato records, is frequently indicated in the Dialogues, and receives indirect testimony from the manner in which these arguments are supposed to have been preserved. No short-hand writer having been present at the conversations between Socrates and his friends, they could only have been carried out of the circle in which they were uttered, by the strength of memory of some one or more of the company. Plato thinks it nothing out of the way to imagine any one of these discussions being reproduced by memory word for word, with all the attacks and rejoinders, and all the turns and windings of the argument, and all the delicate touches of irony and sarcasm, and repeated to some other person next day, or it might be years afterwards. Socrates, who is represented as a glutton of such talk, sets the example. He is supposed to have said off the whole of the immense conversation which constitutes 'Republic' the day after it occurred. So also of the discussions in 'Protagoras,' 'Charmides,' 'Lysis,' and 'Euthydemus,' he is the sole reporter. The conversation in 'Theætetus' is supposed to have been related by Socrates to one Euclid, who from memory wrote it all down and got Socrates to revise it. It is afterwards read aloud by a slave. The prison-scene and the last talk of Socrates are reported by Phædo, one of the disciples who had been present. The conversations in 'Symposium' are repeated at second-hand by an enthusiast, Apollodorus, who had heard them from Aristodemus and had got the account verified by Socrates. What is most wonderful of all, the subtle and intricate discussion in 'Parmenides' is supposed to be said off by heart by Antiphon, the half-brother of Plato, who had heard the arguments in his youth, years before, from Pythodorus, who had been present at the philosophical *séance*, where they were brought forward. Only one of the personages in the Dialogues of Plato is represented as having a weak memory for philosophy, and that is the shallow-pated Phædrus, who seems to find a difficulty in saying off a short speech of Lysias to which he had just been listening. It is true that all this is a matter of imagination. Yet still Plato would not have described such feats of the memory unless they had seemed to him to have a certain *vraisemblance*. And his accounts of these matters

serve to give us a strong impression of the intellectual activity of society in Athens.

With regard to the *dramatis personæ* of the Dialogues, there is a peculiarity which deserves notice. Several of the personages who are introduced as taking part in these conversations are public characters, whose lives and actions are very well known to the student of Greek history. Such are Nicias, Critias, Meno, Alcibiades, and Anytus. The imaginary time of the Dialogues in which these characters appear, must be assigned severally to various years between 425 B.C. and 414 B.C. 'Meno,' however, represents a meeting which might have taken place about 404 or 403 B.C. The Dialogues themselves were actually written subsequently—and some of them long subsequently—to 395 B.C. In the interval between the time of the imaginary scenes and the period of Plato's sitting down to describe them, how marked had been the public history of the persons whom we have named! Nicias had, by his incompetency, destroyed the Athenian army. Alcibiades had betrayed his country and gone over to the enemy. Critias had become one of the Thirty Tyrants and 'the most hated of the Athenians.' He had shown the utmost ingratitude and the most bitter personal animosity to Socrates. Meno had sold the generals of the ten thousand Greeks to the Persians, and after their murder had himself been put to death by Parysatis the mother of Cyrus. Anytus had taken the lead in procuring the impeachment of Socrates; according to the testimony of Xenophon, he is the man who is to be regarded as having caused the death of the sage. It might have seemed as if the stigma of all these painful circumstances would have adhered indelibly to the men themselves, and that it would have been impossible to conceive them as characters, except by the light of their culpable or unfortunate history. But Plato appears to abstract his mind from all painful associations connected with them. In going back in imagination to the happy times when his Master was still in middle life and unaccused, he depicts those who afterwards became the worst enemies of Socrates, as in friendly and honoured intercourse with him. With dramatic impartiality he represents them as they *then* might have appeared. He represents them in sunny light, without throwing back on them the shadow of subsequent events. Alcibiades is charmingly depicted in 'Symposium' as the wayward child of genius, full of noble impulses, and yet always inconsistent with himself; having 'felt the pang of philosophy,' and yet not having strength to be true to the pursuit of it; regarding Socrates as the embodiment of his own conscience, and half shunning him, half fascinated by him.

'For (says he) he makes me confess that I ought not to live as I do, neglecting the wants of my own soul, and busying myself with the concerns of the Athenians; therefore I hold my ears and tear myself away from him. And he is the only person who ever made me ashamed, which you might think not to be in my nature, and there is no one else who does the same. I know that I cannot answer him or say that I ought not to do as he bids, but when I leave his presence the love of popularity gets the better of me—and therefore I run away and fly from him, and when I see him I am ashamed of what I have confessed to him. And many a time I wish that he were dead, and yet I know that I should be much more sorry than glad, if he were to die; so that I am at my wits' end.'

'Meno is described,' says Professor Jowett, 'as a sort of Thessalian Alcibiades, rich and luxurious, a spoilt child of fortune, the hereditary friend of the Great King. Like Alcibiades, he is inspired with an ardent desire of knowledge, and is equally willing to learn of Socrates and the Sophists.' Critias appears as a cultivated man of the world, ennobled by the connexion of his family with Solon, having studied under the Sophists, and not without a tincture of philosophy. Anytus is appealed to, in one of the Dialogues, as a respectable and well-to-do citizen of the old school, to settle the question, whether there are any teachers of virtue to be found. In the conversation that ensues, he exhibits a narrow-minded horror of all innovation on the old opinions, and he is finally supposed to lose his temper, and to flounce off with a significant threat: 'Socrates, I think that you are too ready to speak evil of men; and, if you take my advice, I would recommend you to be careful. Perhaps there is no city in which it is not easier to do men harm than to do them good, and this is certainly the case at Athens, as I believe that you know.' Socrates, mildly referring to this, concludes the Dialogue by saying to his companion, 'I fear that I must go away, but do you, now that you are persuaded yourself, persuade our friend Anytus. And don't let him be so exasperated; for if you can persuade him, you will have done some service to the Athenian people.'

In all this we see, in the first place, the reserve and reticence of Greek art. Plato had no call, when introducing as the companions of Socrates characters who had become notorious in history, to advert to qualities in them which had been subsequently developed, or to mix up the present with the

past. The one work which he had in hand, and to which he confined himself, was to exhibit them as minds standing in various different relations to knowledge and philosophy. And in this he does not depart from consistency and the probable. He does not represent Critias as an idealist, or Anytus as an open-minded man. Again, there is both dramatic propriety and the truth of human nature in allowing that men may make a fair show to the world and may take an honourable place in society, though afterwards they 'show the cloven hoof.' That Plato should so have represented some men does not show that he was 'regardless of the historical truth of the characters of his Dialogues;' it rather proves that he was true to the principles of art. And is there not something else behind? We seem to find a sad irony in the imaginary descriptions of these bright and cheerful meetings characterised by such keen enjoyment of life, and of the play of thought, when we reflect that they were written by one who was conscious of stern ungracious realities connected with many of the actors in them. The very mention of these actors' names would be sure at once to awaken in the reader's mind the recollection of those later facts, and Plato, with the highest art, left the contrast to make itself felt. Each one of the Socratic Dialogues, or all taken as a whole, may be looked upon as a tragedy. All is smiling and serene—Socrates moves about as a king of men (like Œdipus in the days of his prosperity and pride); he holds his philosophic court, and the joy of the intellect is over all. But in the background there broods a horror, a dark fate is felt to be ever threatening, we cannot shake off our consciousness of the end—all tends to the condemnation and death of Socrates. It is with the greatest reserve that Plato permits the undertone of sorrow to make itself occasionally felt, as in the passages which remark on the inability of the just man to defend his own cause in a perverted world; or, as when amidst the riot of the banquet, Alcibiades admits how sorry he should be if Socrates were to die; or, as in the vague threat of Anytus above-quoted, that some day he might do Socrates a harm.

No part of the works of Plato is more full of irony—irony in its sad, its laughter-moving, and its trenchant aspect—than the little dialogue called 'Euthyphro,' which is directly connected with the fate of Socrates. No contrast could be more striking than that of the circumstances and characters of the two persons who constitute the dialogue—Socrates himself and Euthyphro, a learned Athenian diviner and soothsayer. Their meeting is most quaint. They encounter each other in the porch of the King Archon, which was the office for filing indictments in Athens. Euthyphro asks Socrates, 'What can have brought him to such a place, away from the pastimes of the Lyceum,—surely he cannot be going to law with anyone?' 'Well,' says Socrates, 'not exactly going to law; the fact is I have to defend myself against an impeachment.' On being asked, of what nature? he informs Euthyphro that he is to be tried on a charge of corrupting the young by making new gods and denying the existence of the old ones. Euthyphro says, 'Ah, yes, I see, they are attacking you about what you call your Demon. They think that this savours of neologianism. But never fear, it is all jealousy; they laugh at me too, as if I were a madman, when I talk of divine things to them, and foretell the future; and yet every word that I say is true.' Socrates answers, 'Their laughing would be all very well. But the fact is that the Athenians do not mind so much a man's being wise himself, so long as he does not try to make other people wise, but directly he does this they get angry. And this is the very thing which I cannot keep from doing. So now I am in a scrape, and if the Athenians would only laugh at me as they do at you, the time might pass gaily enough in court; but perhaps they may be in earnest, and then what the end will be you soothsayers only can predict.' 'Oh!' says Euthyphro, *I daresay the affair will end in nothing*, Socrates, and that you will win your cause, and I think that I shall win mine.' It is needless to point out the flippant self-satisfaction of the soothsayer, who, full of his own concerns, can hardly give a thought to the grave position of Socrates, or the meaning which there is in his light-minded prophecy that Socrates would be acquitted. But now comes his own announcement of the legal business which had brought him to the porch of the King Archon. He was going to prosecute his aged father on a charge of murder. Socrates is shocked at the notion. He says, 'Good Heavens! a man must be an extraordinary man and have made great strides in wisdom before he could have seen his way to this. But was it some relative whom your father murdered?' Euthyphro mocks at the suggestion. He says it is all a question of religious pollution, and there is the same pollution in all murders alike. Then it turns out that a serf on his father's estate in the island of Naxos, had killed a slave. His father had ordered the serf to be bound and thrown into a ditch, and had sent to the interpreters of religion at Athens to ask what should be done with

him. But before the messenger came back the criminal had died from hunger and exposure. Euthyphro naively adds; 'My father and family are angry with me for taking the part of the murderer and prosecuting my father. They say that he did not kill him, and if he did, the dead man was but a murderer, and I ought not to take any notice, for that a son is impious who prosecutes a father. This shows, Socrates, how little they know the opinions of the gods about piety and impiety.' On hearing this, and that Euthyphro was so perfectly sure of his own accurate knowledge of the nature of piety and impiety, as to feel no hesitation in charging his own father with murder, Socrates declares that he must at once become the pupil of Euthyphro. He says that he himself has to be tried on a charge of impiety, and that it will be of the greatest possible importance to him, with a view to his defence, to learn from Euthyphro, What is piety? Will Euthyphro tell him this? Euthyphro has not the slightest objection to oblige him in this respect; he says: 'Piety is doing as I am doing; that is to say, prosecuting anyone who is guilty of murder, sacrilege, or any other crime—whether he be your father, or mother, or some other person, that makes no difference—and not prosecuting them is impiety.' Professor Jowett is highly delighted with this answer of Euthyphro; he observes: 'Thus begins the contrast between the religion of the letter, or of the narrow and unenlightened conscience, and the higher notion of religion which Socrates vainly endeavours to elicit from him. "Piety is doing as I do" is the first idea of religion which is suggested to his mind, and may be regarded as the definition of popular religion in all ages.'

Socrates demands something more general, as even the most correct punishment of sacrilege is rather an instance of piety than a definition of it. So he gets out of Euthyphro that 'piety is what is dear to the gods.' Even this is insufficient, as it states an attribute rather than the essence of piety. What is the quality which makes certain actions dear to the gods and others not? Euthyphro seems at a loss here, and Socrates suggests that justice may have something to do with it. Euthyphro agrees that 'piety is a part of justice,' thus conceding the point at which Socrates aims, that religion must be placed on a moral foundation. He goes on to define it as 'that part of justice which consists in attending upon the gods.' When further interrogated as to the nature of this 'attention to the gods,' he replies that piety is an affair of business, a science of giving and asking, and the like. But the question arises, How can we give the gods any good thing? To which Euthyphro answers that we give them honour, which is pleasing or dear to them. Thus he has come back to his original position that 'piety is what is dear to the gods' without any explanation of it. 'Socrates, although weary of the subterfuges and evasions of Euthyphro, remains unshaken in his conviction that he must know the nature of piety, or he would never have prosecuted his old father. He is still hoping that he will condescend to instruct him. But Euthyphro is in a hurry and cannot stay. Thus Socrates' last hope of knowing the nature of piety before he is prosecuted for impiety has disappeared!' In this dialogue, as Professor Jowett says, Plato puts the world on their trial and convicts them, in the person of an accredited minister of orthodoxy, of ignorance in that very matter touching which Socrates was accused. The spirit of Euthyphro was in many respects identical with the spirit of the accusers. Both he and they were equally incapable of comprehending the nature of spiritual religion. All this is conveyed by the most delicate implication, and there is a sad humour in making a man like Socrates offer himself as a pupil in questions of piety to a man like Euthyphro.

Great, noble, and touching is the dramatic portraiture of the character of Socrates, as drawn by Plato; and yet the interest that centres round this colossal figure is but a part, and indeed a comparatively small part, of the interest of the works of Plato taken as a whole. In them we have to study the development of Plato's own mind, and the progress of that 'contemplation of all time and all existence,' to which his picture of Socrates was but the *motif* and starting-point. The volumes before us enable us with a comprehensive glance to descry the chief stages in that progress. We see that the way of proceeding with Plato was quite different from that of Aristotle; Aristotle during the first fifty years of his life worked out his philosophy in his own mind, and then employed his last twelve years in stating it and putting it forth, completed, to the world. Whereas, we see that Plato, beginning in early youth, put out in artistic form the questionings that arose in his mind, as fast as they came, giving them for the nonce provisional answers; but ever widening and restating the questions, and afresh clothing them in dialogue with wider and more perfect answers, different in many cases from those at first given. We see how one thought grew out of another, and though the sequence of all the Dialogues cannot be absolutely fixed, we see them broadly falling into divi-

sions which mark successive periods of Plato's mind. We see also a common thread of connexion running through them all, from 'Charmides' or 'Lysis' to 'Laws.' If we were asked to state in a word what that common thread is, we should say, 'the education of the individual soul.' The Dialogues spring from the idea of Socrates instructing by dialectic. This idea is eagerly seized upon and followed out by Plato, and he appears at first to lay down this process of education by means of an embarrassing dialectic as a necessary condition and *sine quâ non* for all improvement. We may suppose the ordinary primary and secondary instruction to have been gone through and done with; the pupil has acquired certain accomplishments, he knows a good deal by rote, but his mind is not as yet in possession of itself, and nothing has been really brought home to his consciousness. At this point the Socrates of Plato steps in, and in the most graceful manner, with the greatest good humour and urbanity, produces a revulsion in the previously self-satisfied mind of the youth. He implants the conviction of ignorance, as the first condition necessary to the attainment of any true knowledge. He abstains from relieving that sense of ignorance by an easily communicated formula of dogmatic information. He leaves the impression that truth on any subject must be discovered and realised by the mind for itself. He gives many indications of the method by which the discovery must be attempted, at the same time exploding many unsound and misleading methods of thought in vogue in the world. He more or less definitely communicates or hints the kind of answer which he himself 'would be inclined to think' might be given to any particular question. And he finally and invariably impresses the youthful learner with the fixed principle that, however uncertain or difficult the attainment of truth in intellectual matters may be, one thing is absolutely certain, namely, the paramount force of moral duty, or, in other words, the necessity each man is under of being 'as noble and good as it is possible to be.'

This dialectical process we find Socrates represented in the earlier dialogues—as he probably did in real life—applying freely to mere boys. But whether it was from seeing the process applied by other and less cautious practitioners, or merely as a general result of his own long thought and experience—whatever caused it, at all events Plato came to see dangers inherent in unsettling the traditionary opinions of the young. These are strongly stated in 'Republic,' 358, D.

'You know that there are certain principles about justice and good, which were taught us in childhood, and under their parental authority we have been brought up, obeying and honouring them.' 'That is true.' 'And there are also opposite maxims and habits of pleasure which flatter and attract our soul, but they do not influence those who have any sense of right, and who continue to honour the maxims of their fathers and obey them.' 'True.' 'Now, when a man is in this state, and the questioning spirit asks what is fair and honourable, and he answers as the law directs, and then arguments come and refute the word of the legislator, and he is driven into believing that nothing is fair any more than foul, or just and good any more then the opposite, and the same of all his time-honoured notions, do you think that he will still honour and obey them?' 'That is impossible.' 'And when he ceases to think them honourable and natural as heretofore, and he fails to discover the true, can he be expected to pursue any life other than that which flatters his desires?' 'He cannot.' 'And from being an observer of the law he is converted into a lawless person?' 'Unquestionably.' 'Now all this is very natural in those who study philosophy in this manner, and also, as I was just now saying, most excusable.' 'Yes, he said, and as I may add, pitiable.'

In the ideal 'Republic,' as in a novel, the remedy for this, or for any other difficulty, was not far to seek. Plato proposed to lay down the rules, first, that only those who possessed grave and steadfast natures should be permitted by the Guardians to study dialectic (that is philosophy) at all; and second, that even this limited class should defer their dialectical studies till they should be thirty years of age, and thus be somewhat removed from the sway of youthful passion. Finally, he proposed to enact that a man should study philosophy from his thirtieth to his thirty-fifth year, and then should 'go down into the den'—that is into practical and political life—till he was fifty, at which age he might be allowed to return to abstract thought, and should spend the remainder of his earthly existence in the contemplation of the Absolute Good. But alas! in real life, these safeguards are hardly practicable. A man who has never questioned anything before he is thirty years old, will probably never question anything at all. Life cannot be mapped out on the lines of a Utopian dream. The 'sting of philosophy' plants itself 'in the finest wits of all,' and the difficulties that hence may arise cannot be evaded by any mere suppression of the intellectual impulse. So far as they exist, they are but an additional instance of a seeming inequality in life, as if an over large portion of the probation of life were laid on the years between seventeen and twenty-five. Plato's recognition of these difficulties is an instance

of the tenderness of his spirit, which makes him anxious that no weaker brother should be made to stumble. It is a touch of nature significant for all time, but for some periods of society more especially than for others. At all periods it would be a happy thing for young men, when they begin to speculate and inquire about the foundations of morals and religion, if they could have a Platonic Socrates at their side to indicate to them that to 'will to do' what is right, is not only a practical safeguard, but also intellectually a necessary condition to arriving at a knowledge of the nature of the right.

Plato doubtless varied a good deal in the programmes of education which at different periods of his own life he drew out. In 'Republic' dialectic (or metaphysics) is represented as the crowning study, to be properly regulated, but to have everything subordinated to it. In 'Laws' mathematics is made very much to take the place of philosophy. This suits the conservative spirit of Plato's old age; he hopes that 'mathematics may lead the mind from the paths of impiety to the religious contemplation of the starry heavens, and that the pattern of order there beheld may become the pattern of the order of the state.' But under all differences of detail the education and progress of the individual soul seems ever to have been a predominant subject of Plato's thoughts. In 'Theætetus' he describes the attainment of truth and the contemplation of the Absolute, as a process of being made like to God, by which alone final blessedness is to be reached. And gradually he seems to have come to entertain the belief, which is expressed in 'Republic,' that the education of the soul is a process only begun in this life, and to be carried on in a subsequent state of existence. The same idea was revived, apparently without any knowledge that it had been Plato's, by the late Mr. Thomas Erskine of Linlathen.* Plato, however, was not a universalist; he does not anywhere assert that all men by the training and purification of their souls will finally reach salvation. He entertained at all events during one period of his life, while under Pythagorean influences, a belief in three possible consequences at the end of the individual life—either eternal blessedness attainable by those souls which had been purified by virtue and philosophy; or, a state of purgatory, to be followed by metempsychosis and a fresh probation on earth; or, final condemnation without further hope of redemption. Plato conceives that this last sentence would be the fate of those great malefactors of mankind, such as the worst tyrants and other utterly lawless spirits, who should have rendered themselves incurable and incapable of improvement.* Plato's theory of punishment is essentially the corrective theory—that punishment is for the good of the person punished. But he adds force to the consideration of the great importance of habits in the soul, by supposing that the soul by evil habits can become degraded past the possibility of improvement; in which case, the soul being still immortal he represents in the passages referred to, that eternal retributive punishment, as a warning to others, must be the result.

The Eschatology of Plato, and indeed all parts of his Natural Theology, are deeply interesting. In many respects they may be compared with the ideas of the Hindoos; in some points with the creed of Christendom. The imagery in which they are clothed is as gorgeous as the visions of Swedenborg. But yet we must not read Plato's pictures of a future world out of their context, or interpret them as if Plato pledged himself for their actual truth, and, placing them in the foreground of his thought, would wish to order the whole of the present life in reference to them. On the contrary, these conceptions of the future state are always suggested in a hesitating manner, in the form of a myth, or a tale that has been heard somewhere. They are always introduced in the background, as it were, of Plato's arguments. They never form the primary thesis which any dialogue tends to prove, but they are brought in as a corollary which, so far as they can be mantained strengthen other conclusions on which men can be certain, such as the immortality of the soul and the superiority in this life of justice over injustice, and they add something to them. But, as Plato says in 'Phædo,' 'I do not mean to affirm that the description which I have given of the soul and her mansions is exactly true; a man of sense ought hardly to say that. But I do say that, inasmuch as the soul is shown to be immortal, he may venture to think, not improperly or unworthily, that something of the kind is true.'

The belief in the immortality of the soul was deeply rooted in the mind of Plato, but it found many various and different forms of expression in different parts of his writings. In some places the doctrine of Metempsychosis is more prominent, in others that of an 'anima mundi.' Sometimes the essence of the soul is represented as a principle of

* See his 'Letters,' edited by the Bishop of Argyll, and published by Messrs. Strahan, 1871.

* See 'Phædo,' 113–114, 'Gorgias,' 523–525, and 'Republic,' 614–620.

motion, at other times as a moral principle which could only be destroyed by her own proper evil, vice, and if not by that, then not at all. Again, the soul is described in her ante-natal state, as seeing the divine ideas, of which reminiscences are afterwards awakened by the appearance of sensible things on this earth. Or again, she is represented as returning after death to her kindred star.

These different conceptions cannot be harmonised or reduced to unity, though to a certain extent a common spirit may be said to animate them. But the fact is, that the question of the immortality of the soul has for modern times one particular set of interests—namely, those connected with the fate of the individual and with the theory of morals and religion. But in Plato's mind at least two sets of interests were connected with the same question. These were, on the one hand, moral; and, when Plato speaks of a future life in reference to justice and virtue, he uses language not unlike that of modern theology. But, on the other hand, he attached a metaphysical and logical meaning to the question, and while discussing whether the soul could be thought to survive death, he was sometimes really inquiring whether an absolute nature could be attributed to universal Ideas—such as Equality, Truth, Beauty, Goodness, and the like. If nothing in this world exactly answers to these ideas, whence did we derive them? They must be the vestiges and witnesses in us of an ante-natal state. The history of the soul and of the Ideas must be bound up together. 'If the ideas of men are eternal, then their souls are eternal, and if not the ideas, then not the souls.'

But it is observed that in treating of the soul as the vehicle of universal conceptions, Plato tends to pass from the personal into the impersonal, so that the future life of the individual seems to fade out of sight and to be succeeded by a belief in the eternal being of an absolute reason. If this point of view were adhered to, the result would be a Hegelian doctrine of the permanence of the Idea independently of individual minds. And there are some indications of such a doctrine in Plato. But those critics go too far who would wish to reduce all Plato's expressions on the subject to this one meaning, and who discover in 'Phædo,' under the guise of the doctrine of the immortality of the soul, an allegorical statement of a theory of knowledge. This view is as much a narrowing of Plato, and is as extreme and onesided, as the more commonplace notion—that Plato treats of the future life simply in the spirit of a modern divine. It is surely possible to allow for the double aspect which the question had for Plato's mind. He was 'as much in earnest about his doctrine of retribution as about his theory of knowledge;' but, we may add, not more so. He was profoundly interested in the religious and moral aspect of human life, but at the same time he regarded nothing in life higher or more important than the acquisition of truth, for which the first condition must be the solving of the problems connected with the nature of truth. Thus Plato the moralist and Plato the metaphysician are as warp and woof which cannot be separated. The first intimation in his writings of the eternal nature of the soul occurs in 'Meno,' where it is introduced to explain the possibility of the beginnings of knowledge, but immediately, in a parenthesis, Plato adds: 'And the moral is that a man ought always to live in perfect holiness.' Any attempt to restrict Plato to a single point of view, or even to show that his philosophy 'centres round' any particular doctrine, is to do wrong to the infinite richness of his genius. Plato 'the myriad-minded' seems rather to show us in his writings an intellect 'whose centre is everywhere.'

In order to study these writings at all adequately, we must not confine our attention to the parts in them which seem most akin to modern habits of mind, but rather we must resort to the historical method, and endeavour to realise the state of thought at which Greece, before Plato, had arrived, and the sort of problems which naturally presented themselves to him. We must realise the condition of an intellectual people among whom the simplest logical notions—the very rudiments of the grammar of thought—had not yet been developed. Hence all the earlier Dialogues represent the difficulty which is felt in defining anything or of forming an abstract conception of anything, or of refuting the verbal fallacies with which some of the Sophists were astonishing the world. Again, there was not only no Logic, but also no Psychology, worthy of the name. Plato is quite puzzled at first to say whether or not virtue is a kind of knowledge, because before him the distinction, which to us seems so simple, between the reason and the will, had never been drawn. Again, the divisions of the sciences had never been made; not only separate sciences, like political economy, had not emerged, but ethics and politics had not been separated; and at one time of Plato's life they seemed to him both capable of being amalgamated with metaphysics. The separate method of the physical sciences had, of course, not been recognised. Comparative philology was impossible. Plato knew no language but his own, and had

hardly any history from which to draw experience. The older Greek philosophies of Heraclitus, Pythagoras, and the Eleatics—which Bacon vainly thinks may have been superior to Plato and Aristotle, as having more tincture of natural science in them—had begun to die out and pass away in words. Yet the Athenian intellect and the Athenian language were already refined to the highest degree. Sophocles and Thucydides had written; art was in its richest bloom; the Sophists had filled the Hellenic world with their subtleties; Socrates had set the example of stubborn questioning; all was ready for a great clearing up of the forms of thought. At this point Plato steps forward, the great Dialectician, or master of method, and at the same time the great Poet, or creator of ideas; to whose mind the abstract and the concrete were of coequal importance, and at the touch of his wand the previously confused elements of thought fall into clear crystals. With Plato

'Magnus ab integro sæclorum nascitur ordo;'

the modern world is, through Aristotle, directly connected with him; and in studying his Dialogues we are present, as it were, at the birth of almost the entire system of European thought. In logic, psychology, metaphysics, ethics, politics, and natural religion, how few results can we exhibit in the present day, of which at all events the beginnings are not to be found in Plato. But his rich contributions to these various departments of knowledge were left scattered up and down in his works, and they required a process of codification. His disciple, Aristotle, with the greatest gifts for the analytic systematising of philosophy that have ever been seen, unconsciously applied himself to the required task. Aristotle may be said to have codified Plato, and to have translated him into the prose of dogmatic theory. But he did this ungraciously, seeming to dwell by preference on the differences of view between his master and himself; and he did it, as we have said, unconsciously, apparently not perceiving how much the substance of his own thought was derived from Plato, and how almost completely his own logic, and metaphysics, and politics, and ethics, were already comprised in Plato. But yet he did a service to the world in condensing Plato, and in carrying out his results and suggestions.

For the logic of Plato we must refer especially to his earlier Dialogues, and to 'Philebus' and 'Sophist.' We find him at first taken up, as Socrates had been before him, with the difficulty of forming definitions of common terms. He draws attention to the ambiguity lurking under words which have different shades of meaning—what later logicians called 'analogous words.' He points out the necessity of distinguishing essence from attribute, or, as the schoolmen would have said, 'differentia' from 'proprium.' He exhibits by living and concrete examples the use and importance of 'negative instances.' He shows laughingly, but not less truly, the art of the refutation of fallacies. He afterwards propounds more at length a theory of classification and of deductive reasoning. In his latest work, 'Laws,' he says that the true guardian of the state must be able to reduce the many to the one, than which 'no more philosophical method was ever attained by the wit of man.' Looking to the chaotic state of the methods of reasoning before him, we may call Plato, virtually, the father of formal logic; though he left the formal syllogism to be developed by Aristotle, and only exhibited reasoning as it appears, or ought to appear, in real life, in which the formal syllogism is never employed. To the department of psychology Plato's first great contribution was made in 'Phædrus,' where he describes the soul under the figure of a charioteer and a pair of winged horses; one a high-bred white horse, full of spirit and at the same time of docility, sensible, and obeying the least sound of the driver's voice; the other a dark-coloured brute, without blood or breeding, hard-mouthed, obstinate, and violent. The charioteer is the reason; the dark horse, the animal and concupiscent nature in man; the white steed is the moral nature, generally tending to obey the reason, unless diverted and dragged aside by its yoke-fellow, passion. Here, then, we have the first appearance of that tripartite division of the soul, which has since played so large a part in the history of philosophy. It is taken up again, without the original symbols, in 'Republic,' where Plato compares the three ranks of the rulers, the soldiers, and the working classes, with the reason, the manly spirit, and the desires. For 'the white horse' in us is now substituted what Plato names *θυμός*, and which embraces all that we mean by spirit, pluck, anger, indignation, and the instinct of honour. It is a somewhat vague term, but it indicates the discovery of an element in man between reason and passion, and tending generally to act in conjunction with reason. The discovery at once got rid of the paradox that virtue is identical with knowledge, and it gave rise in Aristotle to a theory of the will, and a philosophical system of morals. Beside this general mapping out of human nature, Plato contributed also a whole swarm of minor psychological ob-

servations, of which his writings are full. He also started (in 'Republic,' 511,) another great and famous psychological distinction—that between the pure reason—the fixed *à priori* faculty, which contemplates the ideas or highest universals; and the understanding, or active and discursive faculty, which makes inferences from *data*. This distinction was accepted by Aristotle; it figures in the system of Kant, and was eagerly adopted by Coleridge. But it cannot be said to have met with universal acceptance, as it is quite opposed to the views of the Sensationalists, who consider all intellectual apprehensions to be perfectly homogeneous. Plato himself can hardly be said to have laid much stress upon the distinction, as he does not return to it.

On the metaphysics of Plato, if we are to touch at all, it must only be for an instant, since even Professor Jowett (vol. iii. p. 228) avoids the discussion of this subject, as involving a comprehensive survey of the philosophy of Plato, which he thinks would be out of place in one of his Introductions. But one remark may be made. Almost everybody would suppose that the doctrine of the Ideas was the leading characteristic of Plato's system, and that the form of this doctrine was pretty well defined; that the Ideas were transcendental patterns of the phenomena of thought, that the soul had known them in an ante-natal state, and was reminded of them, and so on. But from seeing Plato's works all together in an easily studied form, as in these volumes, we gain a very different conception of his attitude in regard to the doctrine. We see that in regard to this, as to so many other questions, Plato had no system, but was always inquiring. We find that the transcendental existence of the Ideas, that is, their existence apart from the human mind, is only asserted, together with the doctrine of our recollecting them, in mythical and imaginative passages of 'Meno,' 'Phædrus,' and 'Phædo;' that in later Dialogues, as 'Republic,' and 'Philebus,' they are treated of in a more sober spirit; that in 'Theætetus,' 'Sophist,' 'Politicus,' and 'Laws,' the Ideas are mentioned much as Universals would be spoken of in modern books; lastly, what is most remarkable of all, we find in 'Parmenides' a criticism on the doctrine of Ideas, in which the weak points of the doctrine and the difficulties attendant on it are pointed out. Socrates, who is represented in the dialogue as a promising young man, defends the supposed orthodox view of the Ideas, but he is refuted by the venerable Parmenides, who lectures him on his want of practice in dialectic. And it is a curious fact that the arguments here put by Plato into the mouth of Parmenides against his own so-called system, are used by Aristotle in attacking Plato himself! Whatever may be thought of Aristotle in regard to this matter, we cannot help recognising the predominance in Plato of the love of truth over every other consideration. It appears that at one period of his life, when deeply plunged in the study of Eleatic philosophy, he saw that his own doctrine of Ideas required revision, and in the dialogue of 'Parmenides' he at once put out what he had arrived at. To the tenets of a general Idealism, expressed under different forms, Plato seems always to have remained faithful. At one time the idea of Beauty, at another time the Idea of Good, is held up as the cause of the existence of the world; the universal is described as the real, and the particular as the half-real; mind and intelligence are represented as the pre-existent cause, and not as the effect of the material creation; and in his latest work, 'Laws,' Plato strenuously inculcates the priority of the soul to the body. All this is in a different direction from much of the philosophy of the present day, and Plato's arguments require serious refutation before that philosophy can be safely accepted.

The Politics of Plato are full of the deepest interest. On no subject was he more in earnest than this, and his three treatises upon it, 'Republic,' 'Politicus,' and 'Laws,' are nearly equal in bulk to all his other works put together. Keenly alive to the evils in human society, he proclaimed that 'cities will never cease from ill until they are better governed.' His own lifetime having fallen on the period of the decline of Athenian politics, he was inspired with a sort of Apocalyptic zeal to conceive a perfect State, and to prescribe how, out of the elements of human nature, such a State might be created. But, while with imaginative fervour he dwelt on this ideal, he surrounded the unfolding of it with all his accustomed accessories of humour, irony, and the dramatic play of character. Hence his 'Republic' stands forth characterised not so much by a fanatical enthusiasm, as by the calmness of a perfect work of art. It has exercised, and may even yet exercise, a great influence on the world. In these days, when so many social questions which had long been considered closed are opened afresh, and when men in so many parts of the world are going back to first principles, there may be still an advantage in reading, 'not to accept immediately, or to refute, but to weigh and consider,' the thoughts of a man like Plato on such matters. Some of the paradoxes of 'Republic' are akin to some of the ultra

views of the present day, such as the paradox of communism and the paradox of the relation of the sexes. In the Ideal State no man was to call anything his 'own,' there was to be 'neither marriage nor giving in marriage,' and women were to have an education identical with men, and to share with them the labours of war and politics. But those who would seek in Plato a confirmation of their extreme views, may be disappointed to find that he afterwards himself retracted those parts of his proposals which are most shocking to ordinary minds. He, however, points out that much of the existing feelings with reference to the relation of the sexes is a matter of habit. And Professor Jowett gives high praise to his views on the position of women. 'In no former age of the world would Plato's ideas on this subject have received so much assent as in our own. That he should have emancipated himself from the customs of his own country, and from the example of the East, is a wonderful proof of philosophical insight. He is as much in advance of modern nations as they are in advance of the customs of Greek society.'

Nothing could show more clearly Plato's earnest feeling with regard to politics, than the fact, that after having in mature life produced so great and brilliant a work as 'Republic,' he should in old age, when he was at least seventy-four years old, have undertaken to rewrite it all, and bring down his ideal proposals to the level of what he considered the possible. And, perhaps, no greater service has been rendered to the Platonic writings by Professor Jowett, than his vindication of 'Laws' as beyond all question a genuine work of Plato, and his lucid exposition of the character of this last fruit of Plato's genius. 'Laws' of course is far from having the charm of 'Republic;' the wings of Plato's imagination had now begun to droop, he had lost the spring of his fancy and dramatic humour; a somewhat sombre colouring pervades the whole; and yet there are several noble passages in this dialogue, especially those which exhort to a grave piety and belief in God. The institutions of marriage and of private property are now replaced by Plato, though the latter is somewhat restricted by the provision that no man in the State is to be very rich. The points which separate Plato's 'second-best,' or practical, polity from the possibility of imitation in modern times, are, 1st, that it is based on slavery; 2nd, that the number of the free citizens is supposed to be absolutely restricted to 5,040; and 3rd, that all the institutions in it are characterised by overgovernment; no free career is left to individual ability, all is pervaded by a spirit of jealous inquisition, and in the true spirit of the Jesuit order it is laid down that 'no man is to be without a commander.' On the other hand, in the direction which State institutions have taken in Prussia since the days of the battle of Jena; in the tendencies inaugurated by Stein, Fichte, and Arndt; in the compulsory education and compulsory military service; in the complete superintendence taken by the State of education, and especially of the higher education of the people; and in the idea, so industriously propagated and so really influential in Prussia, that every man is a member of the State and a part of a great living organism;—in all these things there is much to remind of Plato's 'Laws.'

We have been able to indicate very briefly only a few of the points which strike the mind on a survey of the collective works of Plato, now for the first time adequately presented to the English reader. What we are obliged to omit is of course far more than what we can mention. Had space permitted, we would willingly have called attention to Plato's speculations on the nature of language, half earnest and half in play, given in 'Cratylus'; and to his theories of the universe and of the creation of the world, which form the subject of 'Timæus.' These were provinces lying beyond the possibility of adequate treatment in Plato's age. And yet the justice of many of his views and his profound intuition of many truths subsequently established by science, must excite our wonder. Nothing can be more admirable than Professor Jowett's appreciation, in his introduction to 'Timæus,' of Plato's position as a physical philosopher, and the way in which he establishes (we should hope even to the satisfaction of the British Association) the worth and provisional validity of the ancient *à priori* methods of contemplating the universe, and their absolute necessity as forerunners of scientific induction. Plato's many and various conjectures on the evolution of man, and on the origin of society, have a peculiar interest at the present day. On the delicate topic of 'Platonic love'—really so different from what many people imagine—we should have been content to refer to Professor Jowett's explanations. But we should have liked to collect from these pages some of the aphorisms of wisdom which lie thickly scattered, not only in the Platonic writings themselves, but also in the commentaries of their most worthy expositor. A 'Golden Treasury' of aphorisms on all the great questions of human life might easily be extracted from these volumes. But we have been able to dip only a very small cup into this ocean. Professor Jowett is evi-

dently of opinion that Plato has never been fully understood and appreciated by the world. In Aristotle, a great portion of his thoughts met with no sympathy. In the so-called Platonic school, 'the doctrine of ideas passed into one of numbers instead of advancing from the abstract to the concrete; the theories of Plato were taken out of their context, and either asserted or refuted with a provoking literalism; the Socratic or Platonic element in his teaching was absorbed into the Megarian or Pythagorean; his poetry was converted into mysticism; his unsubstantial visions were pierced by the spear of logic. His political speculations no longer retained their freshness and interest when the freedom of Hellas had passed away. The best of him—his love of truth, and his "contemplation of all time and all existence," was soonest lost; and some of his greatest thoughts have slept in the ear of mankind almost ever since they were first uttered.' It may be the case that Plato will now be not only more widely studied, but also more truly understood, than at any previous period of the world's history. And that this should be so, we cannot but regard as fortunate, for these volumes clearly show that to study Plato—to learn to appreciate him aright—is of itself enough to constitute a liberal education.

Art. II.—*The Original Ordinances of more than one hundred Early English Gilds:* * *together with ye olde Usages of ye Cite of Wynchestre; the Ordinances of Worcester; the Office of the Mayor of Bristol; and the Costomary of the Manor of Tettenhall-Regis. From Original MSS. of the Fourteenth and Fifteenth Centuries.* Edited, with Notes, by the late Toulmin Smith, Esq. With an Introduction and Glossary, &c., by his daughter, Lucy Toulmin Smith, and a Preliminary Essay on the 'History and Development of Gilds,' by Dr. Lujo Brentano. London: published for the Early English Text Society. 1870.

About four years have elapsed since we first directed the attention of our readers to the publications of the Early English Text Society; but in that interval of time the Society has continued with great zeal and activity the prosecution of its useful labours. The first objects it had in view were to rescue from oblivion the philological monuments and the poetical traditions of our early English tongue; and accordingly the remarks we had occasion to make in our former article (Edin. Rev. vol. cxxxv.), were principally directed to these subjects. In the volume before us the editor, the late Mr. Toulmin Smith, has taken a wider range. The history of the Guilds of England is a valuable contribution to our knowledge of the social and political condition of the people. It is a precious collection of interesting facts, edited with remarkable patience and ability.

We propose therefore to give some account of the contents of this very curious volume upon English Guilds, which are well worth all the labour and pains that has been taken to render them fit for presentation in the shape now before us. It is to be regretted that the learned and laborious editor of the work was not spared to witness its publication, or to complete the final editorial duties, now supplied by the pious care of his daughter. To him is due, in the first place, the recognition of the value of certain bundles of ancient documents in the Record Office: secondly, the mastering and arranging of their component parts, and the addition from other sources of similiar materials of equal curiosity and value.

It can scarcely be held necessary to explain the general nature of the institutions to which the name of Guild is attached. Originating in very early times, they rudely fulfilled, like the organs of the older races of animal life, a variety of functions for the discharge of which, in later times, a more distinct and complicated system has supervened. But for whatever purposes they were constituted, they all relied on the basis of mutual self-help and protection, and served as centres of social life, and as the precursors of the municipal corporations which, for certain objects, continued long and usefully to represent them, no less than of the modern trades' unions, and of the benefit and burial clubs, which flourish as the living equivalents of the ancient social crafts or mystery guilds. For the actual homologues of the old guilds in more special points of view, we must turn to a variety of private societies which now administer, in a more liberal and extensive manner, benevolent assistance, more or less resembling that which in the guilds was exclusively confined to their own members.

* Mr. Toulmin Smith spells the word *gilds* throughout: but we are convinced this is an error. In Danish and Low German it is spelt without the *u*, but Mr. Wedgwood derives it from the Welch *gwyl* and Breton *goel, gouil*; the Dutch form is *gulde*. All these words mean a festal holiday. Guildhall means the hall of feasts. Guild day (in Norfolk) means the festival of city. 'The primary meaning,' says Mr. Wedgwood, 'is a feast, afterwards extended to the persons who feasted.'

As instances of this might be mentioned such bodies as the Royal Literary Fund, the Humane Society, the National Life Boat Society—all of which would, in a different phase of social life, have been religious guilds, if any schemes of similar wide and unselfish beneficence could have been entertained in the age when these arose. Everything, however, must be judged according to its surrounding circumstances, and it must be admitted that the old guilds, limited and compartively selfish as their objects were, did good work in their time, and were the germ of much that is most excellent in this country. It is not philosophical to except to the leaf because it is not a blossom; or to the blossom because it is not a fruit; and we must be content to acknowledge our obligations to these ancient associations, although we may at the same time retain the right to prefer modern ways and means, and even to censure some of what survives from the old guilds, in the most objectionable features of the actual trades' unions.

In the year 1388, the twelfth of Richard II., it was ordered by a parliament holden at Cambridge, that returns should be made to the King in Council as to the ordinances, usages, and properties of the English Guilds; and it is from the returns made in obedience to this order that the contents of the volume before us have been obtained. In our days, in a similar case, there would have been a Commission to collect information, or a simple motion for a parliamentary Return precisely like that of 1388, and in either mode of proceeding there would be a result of blue book. But whether the blue books would survive for nearly five hundred years, and create as much interest at the end of that period as the parchments disinterred by Mr. Toulmin Smith from the Record Office are now capable of creating, is a speculation into which we will not enter. The returns seem to have been duly made and forwarded, and enough of them have escaped the perils of decay and of the rats to give ample information of what the guilds really were at that time. It was ordered that two writs should be sent to every sheriff in England, one calling upon 'the masters and wardens of all guilds and brotherhoods' to send returns of all details as to the foundation, statutes, and property of their guilds; and the other desiring the 'masters and wardens and overlookers of all the mysteries and crafts' to return copies of their charters or letters-patent. Of these official returns more than five hundred remain; but there is a noteworthy suggestion that others are yet to be found among local and municipal archives for which search might be made, and from which further knowledge might be gained. The object of this proceeding may be surmised to have been to ascertain the numbers and influence of the guilds (many of which had been then recently founded) in a jealous feeling of their growing importance; or it may have been to raise money by direct confiscation of their funds, or by compelling them to accept charters from the crown, as happened to so many municipal corporations in the reign of Charles II.

The general idea of the guilds was, as has been already observed, that of association for mutual help, beyond and beside that which the available protection of the law of the land afforded, in times of almost universal insecurity. They were of two kinds, the social guilds and the guilds of crafts (for each of which separate writs were issued); the one, although with higher aims, resembling the modern club or benefit society, and the other more like the familiar trades' union. The religious element pervading the guilds does not seem to have been essential to their character, but rather to have been contained in the atmosphere which they breathed, and to have been unavoidably taken in along with it. Yet it must have exercised a strong influence upon them; it asserts a prominent place in almost all of their ordinances; and it ultimately afforded ground for their destruction.

To nearly all the guilds women were admitted as well as men, and the brethren and sisters of the societies appear to have been on terms of absolute equality, wives as well as single women belonging to them. Nor did persons of good worship and estate think it above them to belong to these fraternities, and appear in public in the uniform garb or livery prescribed for them. Some such with their wives are described by Chaucer in the prologue to the 'Canterbury Tales:'—

'An Haberdasher and a Carpenter,
A Webbe, a Deyer, and a Tapiser,
Were alle yclothed in o livere,
Of a solempne and grete fraternite.
Ful freshe and newe hir gere ypiked was.
Hir knives were ychaped not with bras,
But all with silver wrought ful clere and wel,
Hir girdeles and hir pouches every del.
Wel semed eche of hem a fayre burgeis,
To sitten in a gild halle, on the deis.
Everich, for the wisdom that he can,
Was shapelich for to ben an alderman.
For catel hadden they ynough and rent,
And eke hir wives wolde it wel assent:
And elles certainly they were to blame.
It is ful fayre to ben ycleped madame,
And for to gon to vigiles all before,
And have a mantel reallich ybore.'

The guilds must often have been wealthy and numerous bodies, and occasionally en-

rolled amongst them distinguished personages. The Guild of Corpus Christi at York numbered 14,850 members; the Guild of the Trinity at Coventry could count Henry IV. and Henry VI. among its brethren; as in later times, that of St. Barbara of St. Catherine's Church, near the Tower of London, could boast of Henry VIII. and Wolsey as belonging to it. There was generally an oath of obedience and some formality in the admission of new members. There were payments upon entrance, and annual or occasional payments and various fines, and in most there were payments in money, or in kind, for wax, for the light at the feasts, or to burn at an altar, or at the funeral rites of deceased members; a superstitious use, which very directly exposed the guilds to the action of the statute of the 1st Edward VI., of which Mr. Toulmin Smith has made, as we venture to think, far too much ground of complaint. It seems to have been a necessary corollary to the suppression of the monasteries, and an inevitable incident in the progress of the Reformation, that all funds dedicated to the maintenance of services for the dead and the support of lights should be applied to better uses—and if the incomes of the charities and guilds so suppressed and confiscated to the Crown became the prey of rapacious courtiers, instead of being applied, as intended, to the foundation of grammar schools, it is no more than what happened in the case of the vast estates of the Church, which were forfeited and squandered away in the course of the grand revolt from Rome. On the Continent also guilds were abolished in all Protestant countries at the time of the Reformation, and their property made over to poor-houses, hospitals, and schools.

The guilds had their appointed days of meeting, called 'morning-speeches' or 'dayes of spekyngges tokedere for here comune profyte,' at which the business of the society was transacted; and the name seems to have been originally derived from the circumstance that these business meetings were held on the morning or morrow of the day on which the guild held its feast. And, as in the modern parish club, there was always a grand day or anniversary celebration, usually kept on the day of the saint to whom the guild was dedicated, when the brethren and sisters, clad in their proper liveries or hoods, assembled for worship, almsgiving, feasting, and for 'the nourishing of brotherly love.' Some of the guilds seem to have been expressly founded for the performance of mystery-plays, and probably all appeared on their public days in procession, and with banners and other decorations, such as still survive at the Lord Mayor's show in London, or on the gala days of the modern Odd Fellows and Foresters' club, or such as until recently could be seen in the annual procession of Lady Godiva at Coventry. At the guild meetings there was a box containing their valuables, and the opened box was the sign that the meeting had begun. While the box was open, all present had to remain with uncovered heads, and during such time all disrespectful conduct, as well as improper clothing, cursing and swearing—in short, all that showed want of respect—was severely punished. It may be mentioned in connexion with this observance, that at the dinners of the oldest existing social club in London (the Dilettanti Society), a carved box is solemnly placed after dinner upon the table, before the transaction of any business commences; as it were in pursuance of this ancient custom.

The property of the guilds consisted of lands, cattle, money, valuable church ornaments, furniture for the guild-house, hoods and liveries, and articles used for the presentment of plays and in the shows. The expenditure would be on the sick, poor, and aged of the confraternity, in making good losses by robbery, and in the performance of funeral rites. Loans of money were advanced, pilgrims were assisted, and at one place 'any good girl of the guild' was to have a dowry on marriage, if her father was unable to provide it. In some instances, travellers were lodged and fed; while the funds of some guilds were charged with the repair of roads, town-walls, and bridges, or with the sustentation of the fabric and ornaments of a church. Education was a less frequent object, but was not altogether unknown, and the maintenance of a school and schoolmaster is provided for by some of the ordinances returned in obedience to the writs of Richard II.

The guilds were governed by officers chosen annually by the members, in the true spirit of self-government, bearing the names of alderman, wardens, deans, and clerks. The due wearing of the gowns and hoods which formed the livery of each society was enforced. This uniformity of dress was universal, and the name still survives in that of the Livery-Companies of London. Governments of the day seem to have occasionally felt alarm at the use of a regular costume, and ineffectual attempts were made to check it, not long after the date of the returns, which may themselves have been asked for, as already suggested, in some alarm at the increasing power of so many independent and self-governed communities throughout the length and breadth of the land.

Beyond material advantages, and mutual protection against oppression, the guilds pro-

posed to themselves the maintenance of a high code of morality and social discipline. A good specimen of the sort of ordinance used for this purpose is afforded by the Guild of St. Anne, in the church of St. Lawrence, Jewry, London, to the following effect:—

'If any of the company be of wicked fame of his body, and take other wives than his own, or if he be single man, and be hold a common lechour or contekour, or rebel of his tongue, he shall be warned of the Warden three times; and if he will not himself amend, he shall pay to the Wardens all his arreerages that he oweth to the company, and he shall be put off for evermore. And if ony man be of good state, and use hym to ly long in bed; and at rising of his bed ne will not work, but ne wyn his sustenance and keep his house, and go to the tavern, to the wyne, to the ale, to wrestling, to schetyng, and in this manner falleth poor, and left his cattel in his default for succour; and trust to be holpen by the fraternity: that man shal never have good, ne help of companie, neither in his lyfe, ne at his dethe; but he shal be put off for evermore of the companie.'

Differences between members were to be, as far as possible, settled by the arbitration of a 'forum domesticum,' instead of by resort to the general courts of the country; a provision alike to those contained in the statutes of the colleges at the Universities of Oxford and Cambridge, and in other old foundations, by which the decision of a private visitor is substituted for the operation of the public law of the land. Such were the chief matters, to the regulation of which the ordinances of the guilds were directed.

We pass on to some account of the Records, from which they have, for the most part, been printed. In the Public Record Office there are three bundles, known as 'Miscellaneous Rolls and Town Records,' and containing 549 skins or membranes. Most are of vellum or parchment, but some are upon a peculiar and hitherto unknown kind of linen paper, to which notice was first called by Mr. Toulmin Smith. This is a very much earlier use of paper in England than had ever been previously suspected. Some of the writs sent to the sheriffs are upon this paper, and some of the returns sent up from the country are also upon a similar kind of paper, showing that it was employed not only in what would now be called the Government Offices in London, but in the remote shires of England as well, and this as early as the close of the fourteenth century. The paper is described as remarkably firm and sound, and as having resisted the effects of time, after five hundred years of bad treatment, as well as the best specimens of vellum found in company with it. The documents vary in shape and size, from narrow slips or small squares of eight or nine inches, to large skins or several skins tacked together, and some are in the form of small books. The greater part are in Latin; some in old French, and some in English. The volume published by the Early English Text Society contains the whole of the returns in the Record Office, to the number of forty-five, which are written in English; translations and abstracts are given from some of those in Latin or French; and references are made to more. Other returns have been obtained from the libraries of Oxford and Cambridge, the British Museum, and various public and private depositories.

The first return set out is from the Guild of Garlekhith, in London, and its ordinances contain most of the usual provisions. It was founded in 1375 in the Church of St. James as a fraternity of good men, 'for the amendment of their lives and souls, and to nourish more love between the brethren and sisters of the brotherhood; and each of them had sworn on the book to perform the points underneath written at their power.' All were to be of good repute, and to pay 6*s.* 8*d.* on entry. There were to be wardens; a livery suit, paid for by each member, was to be worn; and a yearly feast was to be holden. The yearly contribution was two shillings, and there were to be four yearly meetings for business, to be attended by all, on pain of forfeiting a pound of wax—a much more creditable fine, it may be remarked, to whatever purpose applied, than the fines of drink prevalent in more recent times for non-attendance or other delinquency. Ill-behaved members were to be put out of the guild. All members were to attend the burial service of a deceased brother or sister, unless engaged in the king's service, or out of the country, on pain, as before, of forfeiting a pound of wax. In case of disputes, the matter was to be laid before the wardens, and the member refusing to obey their award was to be put out of the brotherhood, and the other litigant to be helped by the brotherhood against his 'rebel and unbuxom' adversary. Brethren of seven years' standing were to receive weekly help in age and sickness, or when in prison, to the extent of 13*d.* out of the common box. The value of this allowance may be estimated by the consideration that the yearly wages of an ordinary agricultural labourer, or town-servant (as fixed by the statute of Richard II., of the same Parliament which ordered the returns from the guilds) was only 6*s.* The price of barley is named also in the present returns at 20*d.* the quarter in Norfolk. Finally, new members must swear to keep the ordinan-

ces, and every brother chosen warden must serve under penalty of 40*s*.

In the Guild of St. Katherine, Aldersgate, London, each brother and sister on admittance was to kiss all present in token of love, charity, and fellowship. The weekly help is extended to assistance in cases of loss by fire or water. The quarterly payment to maintain the lights and alms of the brotherhood was 3*d*.; a man and his wife paid double; a single woman the same as a brother. The guild went to church together to St. Botolph's on St. Katherine's day, and on that day or the Sunday following met to choose officers. Death services were to be attended, to join in the 'dirige;' and any brother dying within ten miles of London was to be fetched home by the brethren; and poor members to be buried 'with the money in the common box.' Loans might be had also from the common box. Five round tapers of wax of the weight of 20 lbs. were to burn on high feast days in honour of God, of the Virgin Mary, of St. Katherine, and all saints, and to be used to light round the body of a dead brother, and in his funeral procession. Masses were to be said for deceased members at the charge of the guild. Their property consisted of a vestment, a chalice, and a mass-book, of the price of ten marks.

In the Guild of St. Fabian and Sebastian, Aldersgate, London, the young, if necessary, were to be helped to get work; their other ordinances closely resembling those of the Guild of St. Katherine. They had two vestments, a chalice, a missal, 13*s*. 4*d*. in gold and silver in their box, and a house in Aldersgate worth 4*l*. 13*s*. 4*d*. annually, less a quit rent of 13*s*.

In the guilds of Norwich the ecclesiastical element largely predominated. There are provisions for lights at altars, for requiems, and for special masses for the dead. The wardens of St. Botolph's Guild return that they have in hand 26*s*. 8*d*. for the maintenance of a light; while those of the Guild of St. George had 40*s*. for the support of a light and the making of an image of St. George, to which latter purpose all the surplus funds of the society were appropriated. In St. Katherine's Guild in Norwich, on the occasion of a death, the members were to come to 'dirige' and mass, and make offerings; 'and at the dirige every brother and sister that is lettered shall sing, for the soul of the dead, placebo and dirige, in the place where they shall come together; and every brother and sister that be nought lettered, shall sing for the soul of the dead, twenty times the Pater Noster with Ave Maria; and of the chattel of the guild shall there be two candles of wax, of 16 lbs. weight, about the body of the dead.' The return from the fraternity of St. Christopher at Norwich sets out at length the prayer to be said at every meeting. It includes petitions for the Pope of Rome and his cardinals; for the Patriarch of Jerusalem, and for the recovery of the Holy Cross. Otherwise it much resembles the fine bidding prayer still in use before sermons in the universities, cathedrals, and some other places. It prays for all archbishops and bishops, and specially for our bishop of Norwich; for our lord the king, for our lady the queen, and presently for dukes, earls, barons (there was then no marquis or viscount,) and bachelors of the land, and then 'for all knights, squires, citizens, and burgesses, franklins, and all true tillers, and men of craft, widows, maidens, wives, and for all the commonalty and Christian people—for all true shipmen and true pilgrims;' thus praying for all sorts and conditions of men, and comprising in the name 'bachelor' all dignities below a baron and above a knight. Here also the wardens returned that they had in their keeping 20*s*. for the support of a light. The very short rules of the Barbers of Norwich relate only to the offering of torches and lights on Midsummer day, and to the burning of torches during high mass, for which they had 2*s*. in their box. The guild of the peltyers or furriers of Norwich appears to have been one of more than ordinary importance, and their return commences by reciting the king's writ as proclaimed by the sheriff of Norwich. The ordinances open in the name of the Trinity, the Virgin Mary, St. William, and all saints, and then proceed with the regulations as to church services, and masses to be attended by the brethren. Weekly help to the extent of 13*d*. was to be extended to members fallen into trouble or disease, if not occasioned by their own folly. This amount, as already remarked, was a large one, in the money of the period, and affords proof that the members of the guilds must have belonged to the upper and well-to-do classes of society. The Tailors of Norwich sent their return indorsed that they were a fraternity established in honour of the Ascension of Our Lord; and deceased members of the Poor Men's Guild were to have thirty masses said for them, costing 30*d*.

The returns from some of the guilds among the seafaring people of Lynn in Norfolk indicate, by the regulations disclosed in them, a tendency to conviviality which required repression. The ale-chamber was not to be entered without leave of the officials, no jangling or noise was to be suffered in times of drinking, and no member was to

stay in the guildhouse after the alderman had left. In the Guild of St. John the Baptist, the alderman was to have for his fees in time of drinking, two gallons of ale; every steward a gallon, the clerk a pottle, and the dean a pottle. Nor were the absentees from the feast forgotten, for every brother or sister not able to attend by reason of sickness, was to be consoled with a pottle of ale. One of the most interesting guilds at Lynn was that of Young Scholars, whose original function was to maintain and keep an image of St. William, standing in a tabernacle, in the Church of St. Margaret, with six tapers of wax burning on every festival day; and afterwards, as the return goes on to say, men seeing their devotion and having affection to the holy martyr St. William, asked the fraternity, giving of their free will, to maintain the image and light as long as their means lasted. Then followed the saying of masses for the souls of deceased members, and the other usual incidents of a guild. The return concludes by an innocent confession that all the goods of the guild had been spent, and with the youthful hope that more gifts would be made to them. Others of the Lynn guilds, in returning the amount of their funds, add very submissively that the money is ready at the king's will. In the Guild of St. Thomas of Canterbury, held at Lynn, there was a very special ordinance as to the costume to be observed at feasts. No man was to come before the alderman and the brethren and sisters in time of drink, in a tabard or cloak, nor with bare legs or bare feet. Anyone making a noise was to do penance by holding the rod, or pay a fine. There was also a fine of one penny for falling asleep, and for not passing the bottle; and similar rules prevailed in many of the guilds at Lynn. The return from the Guild of the Holy Cross at Bishop's Lynn gives an early instance of the payment or allowance of what is now so well known by the name of 'promotion money,' in the modern process of the formation of a company. A certain John Clerke is released from the usual payments to the society; and another similar case occurs, as pointed out by Mr. Toulmin Smith, in one of the Cambridge guilds, where one John Cornwall was absolved from all payments that others are bound to make, in acknowledgement of the pains he had taken at the foundation of that guild. There are five returns in the Record Office from Wygnale (Wigenall), in the county of Norfolk, and three of them are filled with a description of the prayers to be used in guild meetings. In the Guild of St. Peter the brethren were to go to church on their general day, each wearing a garland of oak leaves.

Leaving Norfolk for other counties, we find at York a guild of the Lord's Prayer, the history of which is curious enough. The return from it is in a Latin original, and commences in the following manner:—

'As to the beginning of the said guild, be it known that, once on a time, a play, setting forth the goodness of the Lord's Prayer, was played in the city of York; in which play all manner of vices and sins were held up to scorn, and the virtues were held up to praise. This play met with so much favour that many said: "Would that this play could be kept up in this city, for the health of souls and for the comfort of the citizens and neighbours.' Hence, the keeping up of that play in times to come, for the health and amendment of the souls as well of the upholders, as of the hearers of it, became the whole and sole cause of the beginning and fellowship of the brethren of this brotherhood. And so the main charge of the guild is, to keep up this play, to the glory of God, the maker of the said prayer, and for the holding up of sins and vices to scorn. And because those who remain in their sins are unable to call God their father, therefore the brethren of the guild are, first of all, bound to shun company and businesses that are unworthy, and to keep themselves in good and worthy businesses.'

Then follow the usual enactments for burial services, and for assistance to the brethren in case of robbery, fire, false imprisonment, or want; and for finding lights in the cathedral, and providing a table showing the meaning and the use of the Lord's Prayer, to be kept hanging against a pillar in the cathedral; and it proceeds:—

'Also they are bound, as often as the said play of the Lord's Prayer is played in the City of York, to ride with the players thereof through the chief streets of the City of York; and, the more becomingly to mark themselves while thus riding, they must all be clad in one suit. And to ensure good order during the said play, some of the brethren are bound to ride or to walk with the players until the play is wholly ended.'

This guild had no land, its only possessions were the play-properties, and a wooden chest to hold them.

At Beverley the guild of St. Elene was founded in honour of the discovery of the Holy Cross, and on their feast-day a fair youth, the fairest that could be found, was picked out, and clad as a queen to represent St. Helena. An old man was to go before the youth, carrying a cross, and another old man carrying a shovel, in token of the finding of the Holy Cross. The sisters of the guild were to follow two by two, then the

brethren two by two, then the two stewards, and lastly the alderman:—

'And so, all fairly clad, they go in procession, with much music, to the Church of the Friars Minor of Beverley; and there, at the altar of St. Elene, solemn mass is celebrated, and every one of the guild makes offering of a penny. The mass ended, and all prayers said, they go home; and, after dinner, all the guild meet in a room within the hall of the guild; and there they eat bread and cheese, and drink as much ale as is good for them. Afterwards, they choose, by unanimous assent, out of the best men of the guild, an alderman and two stewards for the next year; and to these must be handed over all the goods of the guild. The alderman and stewards are bound to maintain two, three, or four bedridden poor folks while they live; and when these die, they must bury them, and choose others in their place, and in like manner maintain them. Three wax lights are kept burning every Sunday and feast-day, in honour of St. Elene; and at the morning mass of Christmas day, thirteen wax lights are burnt. There are services for the dead, and offerings. Any money in hand at the end of the year is spent in repairing the chapel of the guild, and in gifts to the poor.'

The Guild of St. Mary at Beverley were to present a pageant on the Feast of the Purification, when 'one of the guild shall be clad in comely fashion as a queen, like to the glorious Virgin Mary, having what may seem a son in her arms; and two others shall be clad like to Joseph and Simeon; and two shall go as angels, carrying a candle-bearer, on which shall be twenty-four thick wax-lights.' And so they went in procession, each brother and sister also carrying a wax-light, two and two slowly pacing to the church, where the pageant Virgin offered her son to Simeon at the altar, and the sisters and brethren offered their wax-lights, together with a penny each, after which they were to go home with gladness, and then re-assemble to eat bread and cheese and drink ale, and choose officers for the ensuing year.

In the Guild of the Blessed Virgin Mary, at Hull, pilgrims to the Holy Land were exempt from their annual payment; just as members of a modern Pall Mall club, absent abroad, are excused their subscriptions.

Very few returns remain in the Record Office of those made by guilds of crafts under the separate writ addressed to them; and the existing returns do not disclose any ordinances, only giving copies of their charters. But examples of ordinances of craft-guilds have been discovered among the archives of the city of Exeter, and printed by the Early English Text Society, to which attention will presently be directed.

The Guild of St. Benedict, and others also, at Lincoln, had a kindly thought for the poor while the brotherhood was feasting. There were to be, on each day of the feast, three flagons, with prayers, and six tankards; and the tankards filled with ale were to be given to the poor who most needed it.

In the Guild of the Resurrection of our Lord, also at Lincoln, the description of the funeral rites to be observed is very full. A hearse was to be put about the body, with thirteen square wax-lights burning in four stands, at placebo, dirige, and mass; with four angels, and four banners of the Passion with a white border and scutcheons of the same powdered with gold. This return is on vellum, and possesses the peculiar interest that it appears not to have been written, but to have been impressed with letter stamps. If the suggestion to this effect, made by Mr. Toulmin Smith, could be verified, this document would be of infinite value as a contribution towards the history of the art of printing. The Brotherhood of St. Michael on the Hill at Lincoln would seem to have been exceedingly anxious to maintain their independence as a society of 'common and middling folks;' and to have been very jealous of any interference by the local magnates. One of their ordinances is given to the effect that—

'Whereas this guild was founded by folks of common and middling rank, it is ordained that no one of the rank of mayor or bailiff shall become a brother of the guild, unless he is found to be of humble, good, and honest conversation, and is admitted by the choice and common assent of the bretheren and sisteren of the guild. And none such shall meddle in any matter, unless especially summoned; nor shall such a one take on himself any office in the guild. He shall, on his admission, be sworn before the bretheren and sisteren, to maintain and to keep the ordinances of the guild. And no one shall have any claim to office in this guild on account of the honour and dignity of his personal rank.'

The Fullers of Lincoln are given as an example of a mixed guild, partly a craft-guild, and partly social. There are prohibitory rules, like those of the modern trade unions, tending to secure a higher standard of work for members of the guild, as well as exclusive employment and holidays:—

'None of the craft shall work (i. e. full cloth by treading it with the feet) in the trough; and none shall work at the wooden bar with a woman, unless with the wife of a master or her handmaid.

'None of them shall work after dinner on Saturdays, nor on any days which they ought to keep as festivals according to the law of the Church. If a stranger to the city comes in, he may, on giving a penny to the wax, work

among the bretheren and sisteren, and his name shall be written in their roll.

'If any one wishes to learn the craft, no one shall teach it to him until he has given twopence to the wax.'

Among the tailors, there was an ordinance well calculated to keep both masters and journeymen in obedience to the club, as well as to promote the proper termination of engagements:—

'If any master of the craft keeps any lad or sewer of another master for one day after he has well known that the lad wrongly left his master, and that they had not parted in a friendly and reasonable manner, he shall pay a stone of wax.'

The value of a pound of wax is elsewhere stated at 7*d.*, so that a fine of a stone of wax would have been a heavy one, amounting to 8*s.* 2*d.* of the money of that time. Another regulation that if any master employs a lad as a sewer, the sewer shall pay 6*d.*, or his master for him, is obviously intended for the protection of adult labour, and to prevent the lowering of wages.

A very good-natured spirit is seen in the ordinances of the Lincoln guilds, both of the city and country; and in one of the more rustic societies, where the provisions for help from the guild meet the cases of the loss of a beast, or of damage by fire or theft, there is the following privilege of membership:—

'If any brother or any sister has a friend at his house, for love of whom he does not wish to go to the guild: and if there is no retail tavern in the soke where he dwells; he may send for a gallon of the best ale to the bailiff of the guild; and the bailiff shall give it to him.'

But if the absent member was found to have had in fact no guest, but to have stayed at home for idleness, he was most deservedly fined in half a bushel of barley. In other places members might bring their friends as guests to the feasts of the guilds; a custom in which we may perceive the rudiment of the modern hospitable invitation to the excellent dinners of our London city companies. The price of a guild dinner in 1494 was 2*d.* per head—for priest, man, or woman—as appears from the ordinances of the guild of St. Katherine at Stamford, preserved in the library of Gonville and Caius College at Cambridge, with the additional fact that absence was punished by a fine of a pound of wax (equal to 7*d.*), and paying besides for the uneaten dinner. These Stamford ordinances are furthermore peculiar in giving a sort of oath of fealty to be taken by new comers; and in ordering the ringing of peals of bells on the feast-day after the prayers for the souls of the dead, for which the ringers were to be regaled with bread, cheese, and drink. The 'bull-running' at Stamford on St. Martin's day (11th November), now abolished, was anciently and from time immemorial conducted by the guild of St. Martin, who by custom kept a bull to be hunted through the streets by dogs and then sold. A custom, which, although ancient, was scarcely laudable, and the abolition of which can hardly be regretted by even the most ardent admirer of guilds, and of the times to which they belonged.

At Ludlow there was an old guild of the Palmers, founded in 1284, whose ordinances contain curious provisions for regulating funeral rites:—

'If any man wishes, as is common, to keep night-watches with the dead, this will be allowed, on the condition that he neither calls up ghosts, nor makes any mockeries of the body, or its good name, nor does any other scandal of the kind; lest, by such scandals, the discipline of the church may be brought into contempt, and the Great Judge may be provoked to heavier vengeance, who ought rather, by reason of the sins of the people, to be asked for love and mercy. And never shall any woman, unless of the household of the dead, keep such a night-watch.'

Upon this very remarkable ordinance Mr. Toulmin Smith has observed in a note that it implies two things; first, that ghosts can be called up after death; and, secondly, that this may be hindered by the strength of human law. There can be no question that in and long before the fourteenth century, and for long after, it was a fixed and general belief, that the spirits of the dead could be evoked against their own will by the use of appropriate rites and ceremonies; and it is not surprising that this universal faith should be found influencing the rules of a guild. But it is equally clear that those who held this opinion would also be entitled to suppose that by forbidding the use of the necessary arts for raising the dead, they might be able to prevent the dead from being raised.

This guild of the Palmers at Ludlow was an old and important society, dating from the time of Edward I., and when reported upon by the Commissioners of Henry VIII., as set forth in the documents preserved in the Public Record Office, its wealth was considerable. Its yearly revenue was then 122*l.* 7*s.* 11*d.*, and it possessed 182 ounces of plate, parcel gilt and 'white.'

Passing over many other matters of interest, we come to the very curious ordinances of the guild of Tailors preserved in the archives of the Corporation of Exeter. A custom like that observed at Trinity College,

Cambridge, and at other colleges, by which every nobleman and fellow-commoner (while those orders were recognised) made a present of plate to the society, was here in force, and each new member was to give a silver spoon, weighing an ounce, and made in the fashion. The oaths are set forth, as taken by the members and various officers of the guild, and many trade regulations. Examples are also given from the records of the guild of control exercised over the members, both masters and workmen, by the authorities of the society. There is an entry of a complaint by a customer of an alleged case of 'cabbaging,' when some of the cloth given to a craftsman to be made up, was said to be found wanting in the gown to be produced from 'iiij yerdes of brod cloth, blew,' for one Master Robert Rydon. But the guild found that there had been no waste, as was proved by the patterns of black paper kept in the common coffer of record; whereupon the complainant submitted himself to the fellowship. In another similar instance, there was a complaint 'that John Kartor rec^{d} iij. yerds of brod clothe, russet, to make a longe gowne to Sr John Walkyngton; apoun the whiche the sayde Sr John complayned to the Master and Wardons of lackyng of hys clothe.' Here the master and wardens found that no cloth had been stolen, but that there had been wasted 'a quarter of brod cloth for lack of kounyng;' and they amerced the incompetent artist by making him pay eleven shillings for the cloth, which may be presumed to have been the whole value of it, as the gown was to be kept by him. The injured customer was less fortunate in another complaint of bad workmanship and deficient material, for he was referred to his remedy at common law, the culprit not being a brother of the guild. This society of tailors at Exeter was still in active existence as late as the reign of James II., when it received a charter from him.

It is clear that at Exeter, and also in other cities, the corporations were inclined to be as severe in upholding their own powers and privileges as the feudal lords were in the country districts; and that they viewed with extreme jealousy the independence of the local guilds. Among the ordinances of the Bakers of Exeter, is a provision that all 'dowers' (doughers or bakers) of the city and suburbs should grind at the city mills, and nowhere else; and it will be remembered that the compulsory grinding at the lord's mill was one of the most burdensome of the old territorial services. At Berwick upon Tweed, also in the ordinances of the general guild of that town, it is forbidden to grind wheat or other grain in hand-mills. This general guild would answer to a modern municipal corporation, and its provisions are such as would now be contained in a local act of parliament, or in municipal bye-laws of the present day. Their date is of 1283, and it is worthy of remark, that the fines are payable in casks of wine, and not in money or in wax. A still better example of ancient local government is afforded by the old usages of Winchester, dating in the fourteenth century, and now printed for the first time from the original among the records of that city; or in the ordinances of Worcester under date of 1467, which supply a very complete code for the purpose. One section provides for the payment of the accustomed wages to the members of parliament for the city, within three months of their return home. In another part of the volume is set out a writ for levying upon a particular township in the shire of Northampton its shares of the expenses of the county member, returned to the parliament holden at Cambridge in 1388,—a writ of whose existence Prynne is said to have been ignorant, and which he would no doubt have given his ears to know. It would have been well for him, and for more recent historical inquirers, if one of the guilds which we have not mentioned had been well maintained, and if it had enjoyed better fortune during its existence. It deserves special notice on this occasion, and was a certain guild of the Kalenders, so called from meeting on the kalends of each month, established at Bristol, as a brotherhood of clergy and laymen to keep the ancient records and muniments, not only of the town, but also of other societies in other remote places of the kingdom. It seems, however, that their library and records were burned in the rood-loft of All Saints Church at some time previous to 1318, and no fresh collection was ever made.

We have now passed through an immense mass of valuable materials, perhaps with a step sometimes too light for their real importance; and rather with a view of calling to them the attention of inquirers into matters of historical and archæological interest, than of giving anything like a full account of the fresh stores of information now opened to them. The subscribers to the Early English Text Society have indeed been made shareholders in a mine of new and unsuspected wealth, some of whose treasures of virgin ore we have endeavoured to exhibit as specimens, and we trust we may have provoked sufficient curiosity to procure for it an abundance of workers and visitors.

It remains briefly to notice the independent essay on the history and development

of guilds contributed to the volume by Dr. Lujo Brentano, and suggested by Mr. Furnivall, to whom this and many kindred subjects already owe so much. The first organisation of guilds is with every probability referred to a date as early as the eighth century, and the place of their birth was England. While they were extending, and were legally recognised among the Anglo-Saxons, they were discouraged and forbidden on the Continent by the authorities of both church and state. The guilds were confederations of the weak for mutual protection, and as such found no favour in the eyes of emperors or feudal and municipal superiors. Self-consciousness and self-relying confidence were not to be tolerated politically, while there may have been reasons for ecclesiastical interference arising from the excesses and pagan customs which prevailed at the guild meetings. The social or religious fraternities, however, of the close of the Middle Ages flourished amazingly on the Continent, as well as in this country. We have seen the number in the English towns—twelve in Norwich and as many in Lynn; nine in Bishop's Lynn; while abroad there were eighty in Cologne, seventy at Lübeck, and more than a hundred at Hamburgh. Their origin was sometimes almost accidental. Towards the end of the fourteenth century, several merchants and shopmen of Flensburg were drinking together and after paying their score six shillings remained over, with which a candle was provided to burn on the altar of the Virgin Mary; and a guild was thus commenced which became, in time, of wealth and importance.

The town-guilds were also of very early date, and may be considered as the germ of the town constitutions, as well as of the more special craft and merchant guilds. We may judge of their power by what follows:—

'The earliest notice of such a town-guild upon the Continent contains a noble instance of a daring fulfilment of the duties imposed upon the guild brothers. Magnus, the son of King Nicholas of Denmark, had slain the Duke Canute Lavard, the Alderman and protector of the Sleswig Guild. When King Nicholas, in 1130, came to Hetheby (that is Sleswig,) his followers advised him (as an old Danish chronicle relates) not to enter the town, for the townsmen put in force the law with extreme severity within their guild, and did not suffer any one to remain unpunished who had killed or even injured one of their brethren. But the king despised the warning, saying, "What should I fear from these tanners and shoemakers?" Scarcely, however, had he entered the town, when the gates were closed and at the sound of the guild bell the citizens mustered, seized upon the king, and killed him, with all who tried to defend him.'

Dr. Brentano points out how the introduction of the custom of giving a preference to the sons of members for admission to the guild, would in process of time dissociate the guild from the general body of citizens in a town, and would in fact lead to the formation of such close corporations as those which existed in most English towns for a long period previous to the passing of the Municipal Reform Act. The guild thus constituted remained as the 'highest guild' or '*summum convivium*,' and became exclusive and oppressive, in its hold upon and exercise of all the civic offices. Craftsmen were originally members of the town-guilds, but were omitted as the burghers grew wealthy. Afterwards the craft-guilds proper arose in more or less of subordination to the chief guild or corporation, and continued to flourish until they grew themselves to be associations of persons possessing capital, and ceased to perform their original functions. Into the elaborate history of their successors, the modern Trades' Unions, and of English legislation in regulation and restraint of trade, as given by Dr. Brentano, we forbear to enter as being not altogether germane although to some extent cognate with the contents of the rest of the volume, but we must fully acknowledge the interest and novelty of the matter brought forward by him.

Art. III.—1. *Military Memoirs of Mr. George Thomas, who, by extraordinary talents and enterprise, rose from an obscure situation to the rank of a general in the service of the native Powers in the north-west of India.* By William Francklin, Captain of Infantry, &c. &c. Calcutta: 1803.

2. *Military Memoir of Lieut.-Col. James Skinner, C.B., for many years a distinguished officer commanding a Corps of Irregular Cavalry in the service of the H. E. I. C.* By J. Baillie Fraser, Esq., Author of 'Travels in Khorassan, Mesopotamia, and Kourdistan,' &c. &c. London: 1851.

The object of Colonel Malleson in his highly interesting and instructive 'History of the French in India' was to describe the fierce struggle for mastery in which the two great nations of Western Europe were engaged on the coast of Coromandel about the middle of the last century. He therefore closed his narrative with the capture of Pondicherry by the British forces under Coote in January

1761. The task which he had set himself was then finished, and it did not fall within the scope of his work to notice the soldiers of fortune (not all, indeed, French), who some twenty or thirty years afterwards entered into the service of the native princes in the north-west and centre of India, and taught them, for the first time, the value of disciplined infantry, supported by well served artillery. For up to that period the Mahrattas, as well as the Rajpoots, placed their reliance almost solely upon the large bodies of cavalry which their system of government enabled them to bring into the field. It is our object to tell the tale how these men, or those among them who were masters of their craft, and who have been wittily called 'the small change of Clive,' taught the art of war to those whom they found trusting in numbers alone, and with no other requisite for conquest than a certain amount of personal valour.

Benoit de Boigne, a native of Savoy, was the first who possessed at once the discernment to see the advantages of this important change in the military system of the Mahrattas, and the influence necessary to bring it into practical operation. He had commenced his career as an officer in the Irish brigade in the service of France, from which he passed, after some years, into that of Russia, and was taken prisoner by the Turks at the siege of Tenedos. Hearing after his release from some Englishmen whom he met at Smyrna that there was a great opening for military adventure in India, he proceeded thither, arriving at Madras early in 1778; where he became an officer in a regiment of the East India Company's native infantry. But conceiving himself to have been ill-used by Lord Macartney, then the Governor, in the matter of promotion, he threw up his commission and proceeded to Calcutta, being furnished with letters of introduction from the Governor (who would seem to have condoned his conduct in retiring from the service), to Warren Hastings, then the Governor-General of India.

After some vicissitudes of fortune, not very serious, in the north-western provinces, De Boigne determined upon entering the service of one of the native Powers in that quarter, then, as always, engaged in hostilities, and finally attached himself to Madhajee Sindhia, for whom he undertook to raise and discipline two battalions of infantry numbering 850 men in each. This object he accomplished within five months, and for three years after he joined the Mahratta army he did excellent service, and satisfied himself by experience of the soundness of his views in organising regiments of infantry upon the model of the Sepoys whom he had seen at Madras and Calcutta. But he shortly perceived that the body under his immediate command, although it seems to have always borne the brunt of the affairs in which it was engaged, was too small to prove of essential service in deciding the issue of pitched battles, where many thousands were arrayed on either side; and he consequently urged Sindhia to allow him to organise a much larger force on the same system. But that prince, though highly intelligent, was naturally strongly prejudiced in favour of the national arm, and declined at the time De Boigne's offer. He therefore retired to Lucknow, and entered into business as a merchant, in some sort of connexion with a man afterwards known as General Martine in the service of the Newab Vizier who built at Lucknow the palace of Constantia, and founded by his will a noble charitable establishment for purposes of education in Calcutta called the Martiniere. But Sindhia shortly thought better of his objections to De Boigne's project, recalled him to his service, and gave him authority, and for the first time ample pecuniary means to raise a corps of 10,000 men including his two original battalions, which important measure was promptly carried into execution.

From this time forth, till the day when he unwisely provoked the hostility of the British Government, the triumphs of Sindhia and his successor in the field, and the consequent acquisitions of dominion and power, were rapid and uninterrupted. De Boigne won for his master the bloody battles of Patun and Mairtha; after the former of which, fought on the 20th of June, 1790, against the army of the Emperor, supported by the Rajpoot princes of Jypore and Joudpore, one hundred guns, fifty elephants, two hundred standards, and all the baggage of the defeated army, fell into the hands of the conquerors. These great victories, which were the unquestionable results of the steady valour and discipline of De Boigne's regiments, so thoroughly satisfied Sindhia of the immeasurable superiority of regular troops, that he directed De Boigne to raise two more brigades upon the same model as the first, assigning for their maintenance territory yielding 220,000*l.* per annum. He also appointed De Boigne commander-in-chief in Hindostan. Subsequently, that general led his army against Holkar, who had taken advantage of Sindhia's absence at Poona to invade and ravage his territory. Holkar had on this occasion 'four regular battalions of foot, under the command of the Chevalier Dudernaig, a gallant French officer, and having succeeded in exploding thirteen of De

Boigne's tumbrils at the commencement of the action, he was able to offer the most obstinate resistance that De Boigne ever experienced. Eventually, however, Dudernaig's four battalions were all but annihilated; their guns, thirty-eight in number, all taken, and almost all their European officers were killed.' This battle, which was fought near the village of Lukhairee in September, 1792, appears to have been the last serious affair in which De Boigne was engaged.

In 1794 Madhajee Sindhia died, and was succeeded by his grand nephew, Dowlut Rao, greatly to whose dissatisfaction De Boigne, finding his health beginning to fail him, in consequence of his unceasing labours and anxieties, determined to retire in 1796. He was, beyond all comparison, the best soldier and the best man who rose to supreme command in the service of any of the Mahratta princes. His character was unstained by any act of treachery or cruelty. He appears to have been a man of undaunted resolution, and of that prompt decision in circumstances of imminent danger which is more rare and more valuable than merely animal courage. And he served the masters who appear to have implicitly trusted him zealously and loyally. But his character has been well and fully delineated by an officer who served under him for a long period.

'De Boigne is formed by nature to guide and to command. His school acquirements are not much above mediocrity; but he is a tolerable Latin scholar, and reads and writes and speaks French, Italian, Persian, Hindostanee, and English fluently. He is an attentive observer of the manners and dispositions of men, affable and good-humoured, but resolute and firm; he has entire command over his passions. . . . . On the grand stage where he has acted a brilliant and important part for these ten years, he is at once dreaded and idolised. Latterly, the very name of De Boigne conveyed more terror than the thunder of his cannon, a singular instance of which I will relate. Nujut Koolee Khan, in his last moments, advised his Begum to resist, in the fortress of Canonnd, the efforts of his enemies. "Resist *them*," he said; "but if De Boigne appears, yield." That this renown was not unfounded, may be gathered from the list of his victories at Agra, at Patum, at Mairtha, at Lukhairee, and many other fields of lesser importance: he never lost a battle. He will be long regretted in India. His justice was uncommon, and singularly well proportioned between severity and mildness; he possessed the art of gaining the confidence of both princes and subjects; active and persevering to a degree only to be conceived or believed by those who were spectators of his indefatigable labours, he continued at business of the most varied and important character from sunrise to midnight, and this without an European assistant—for he is diffident in placing his trust—and all this not for one day, but unremittingly for ten years. To this unceasing toil he sacrificed one of the most robust constitutions which ever nature formed. In person he is above six feet high, large-limbed, giant-boned, strong-featured, and with piercing eyes.

'He raised the power of Madhajee Sindhia to a pitch that chief could never have expected or seriously hoped for; and fixed it on the basis of a powerful, well disciplined, and well-paid army. . . . . Dowlut Rao Sindhia now possesses the largest and best-disciplined troops that ever were under a native prince, in the European form; and he may defy, and has defied, the whole Mahratta empire. He has six regular brigades, besides detached battalions; they consist of thirty battalions of Sepoys, and ten of Nujeebs, of 700 men each; 2,000 regular cavalry, and 200 pieces of cannon; besides this, he has 100,000 Mahratta cavalry, and 2,000 irregular infantry. All other Europeans have failed in such attempts from want of funds for regular pay. De Boigne saw this error from the first, and prevailed on Sindhia to give over in *Jaidad*, Purgunnahs producing twenty lakhs, and these were increased to thirty lakhs, a year; and all these Purgunnahs were in the most thriving state from good management.

'One trait of De Boigne should not be passed over in silence. It was his earnest aim to soften, in all ways, the horrors of war. Every officer and soldier, when wounded, received a present of a certain number of days' pay in proportion to the severity of his hurt, without any stoppage during the time of cure; and all disabled received a pension for life, besides an assignment in land, to which the relations of the killed succeed. No other native Power has ever done this.'

De Boigne's uniform success—for if once or twice repulsed, he never lost a battle—proves to demonstration the superiority of disciplined infantry, supported by guns and well handled, even when armed with the very imperfect muskets of that period, over the largest bodies of the most gallant cavalry. In every one of De Boigne's encounters with the Rajpoots, they did all that the most determined horsemen could do to ride down his battalions, charging up to the muzzles of his cannon and cutting down his gunners. But he defeated them on every occasion with terrible slaughter; though they once succeeded in almost exterminating one of his brigades, not being stopped by the showers of grape-shot which were poured upon them, but spurring their horses on and over the bayonets of the infantry. One of these scenes is well described in Fraser's 'Military Memoir of Colonel Skinner.'

'On the other side, 10,000 Rhatore (Jondpore Rajpoots) came thundering furiously upon De Boigne, charging up to the very guns, and cutting down the artillerists, in spite of immense carnage made in their own ranks. But the

steadiness of the regular troops prevailed; the Rhatores, broken and greatly thinned, gave way, and the battalions advanced in their turn.'

Of the battle of Mairtha Colonel Tod says in his 'Annals of Rajpootana'—

'Had there been a reserve at this moment, the day of Mairtha would have surpassed that of Tonga. But here the skill of De Boigne, and the discipline of his troops, were an overmatch for valour, unsustained by discipline and discretion. The Rhatore band had no infantry to secure their victory; the guns were wheeled round, the line was re-formed, and ready to receive them on their return. Fresh showers of shot and grape met their thinned ranks, and scarcely one of the four thousand left the field.'

De Boigne lived many years after his return to his native land in prosperity and honour. He had brought home a splendid fortune and he spent it splendidly. The château which he built at Chamberri and the gardens and plantations with which he adorned it were equally magnificent. And 'honours,' says our authority ,were not wanting. He received from his own sovereign Victor Emanuel the title and dignity of count, the rank of lieutenant-general, and the Grand Cross of the order of St. Maurice and St. Lazarus, besides the distinction of having his bust in marble, sculptured by the king's order, placed in the public library of Chamberri. Louis XVIII. of France emulated the example of the Count's sovereign; he created him Maréchal de Camp, and gave him the cross of St. Louis, and that of the Legion of Honour.' He married a French lady of rank, who has left a name in Parisian society, for M. Guizot has written a memoir of her; but this alliance was not a happy one, and they seldom lived together. De Boigne was to the full as munificent in his benevolence and endowments—to which, and the embellishment of his native city, he devoted more than 150,000*l.*—as he was splendid in his own establishment. He employed well the wealth which he had honourably acquired, not only from the surplus revenues of the districts assigned to him for the maintenance of his troops, but also from the commercial transactions at Lucknow, for which he supplied the capital. He reached the good old age of eighty, dying on June 21, 1830.

His successor in India, M. Perron, was a man of a very different order. De Boigne was eminently simple and straightforward; Perron was addicted to intrigue. De Boigne was fair and even-handed in his dealings with all who served under him whatever their nationality. Colonel Skinner gives a very different account of Perron's conduct. He says, 'It became his policy or his pleasure to give the preference in his choice of officers to his own countrymen over all others, and this to such an extent as not only to disgust the Mahrattas, but to excite the jealousy of the English and country-borns against them.' De Boigne was so well disposed towards the English that he made it an express stipulation, and that in writing, when he engaged with Sindhia, that he should not be required to serve against them. Perron was uniformly and bitterly hostile against our Government, being stimulated by his enmity and his pride to send an ambassador to Napoleon I. But it was natural perhaps that the Savoyard and the Frenchman should have differed in this respect, and De Boigne had moreover received personal kindness at the hands of our Governor-General.

The Rajah of Jypore, refusing to pay his stipulated tribute to the Mahrattas, a force was despatched to punish and coerce him. Perron did not command the army on this occasion, being absent in Hindostan, where his head-quarters were fixed, but Skinner, then a very young soldier, took part in the action, which he has described in very vivid language.

'The Rhatores (he says), more than 10,000 in number, were seen approaching from a distance; the tramp of their immense and compact body rising like thunder above the roar of battle. They came on first at a hand-gallop, which increased in speed as they approached; the well-served guns of the brigade showered grape upon their dense mass, cutting down hundreds at each discharge; but this had no effect in arresting their progress; on they came, like a whirlwind, trampling on fifteen hundred of their own body, destroyed by the cannon of the brigade; neither the murderous volleys from the muskets, nor the serried hedge of bayonets could check or shake them; they poured like a torrent over the brigade' (that of Dudernaig, above alluded to), 'and rode it fairly down, leaving scarce a vestige of it remaining, as if the sheer weight of their mass had ground it to pieces. Then, as if they had but met with a slight obstacle, they looked not even behind them at the fallen, but went on unshaken, and still in their formidable mass, to attack the cavalry in the second line. These, (as Skinner says) ran like sheep, while the Rhatores pursued them, cutting them down for several miles.'

Skinner adds that Dudernaig 'escaped only by throwing himself among the dead;' and he relates that after returning, with their kettle-drums beating, from chasing the runaway Mahrattas off the field, they twice charged the unbroken brigades, several of them breaking into the squares, and being bayoneted there.

They were most gallant soldiers, these

Rajpoots, and it is really grievous to think how, by want of union and by bad policy, they permitted themselves to be trampled upon, bullied, and plundered by the Mahrattas, a people inferior to them in every respect. They had their vices—they were immoderately addicted to opium; and, far worse than that, their pride of caste and fear of social degradation impelled them to lay upon the altar of the demon who presides over those passions a sacrifice as precious as those offered in days of old to Moloch,—they withdrew the gift of life from their infant daughters. The British Government has been engaged for many years in the struggle against this abominable crime, and has met with a large measure of success; and we may hope with confidence that when the chiefs of Rajpootana are more generally brought, as they have been partially of late, within the influence, not of English statesmen only, but of English wives and mothers, a custom so hateful will be effectually swept away.

About this period Perron was brought into contact, and eventually into collision, with a man perhaps the most remarkable, in some respects, of all who figured at that time upon the stage of North-Western India. George Thomas, a native of Ireland, was, it is probable, the humblest in birth, and the least favoured by education, of the many soldiers of fortune of the day. Coming to India as a quartermaster in a man-of-war, some say as a common sailor, in the year 1771, he left his ship —probably deserted—and entered into the service of the Polygars, petty native chieftains, the wild rulers of wild hills and jungles to the southward of Madras. After some years spent in that quarter, he plunged boldly into the vast tract of country that lay between him and the object which he had in view, and arriving in the course of time at Delhi, he was taken into the service of the Begum Somroo.

There is no record of the adventures through which he passed on this perilous journey. Those who know what India was at that epoch, how the country swarmed with armed men, some in bands of hundreds or thousands, some in the shape of single or affiliated highwaymen (know as 'Cozaks'); how, in the words of the Song of Deborah, 'the highways were unoccupied, and the travellers walked through byeways;' how no one dared to live in a detached house, and every village was fortified:—will be able to estimate, in some measure, the difficulties and dangers of such an adventure. We know as little about the circumstances of his introduction to service in the north-west, as we do about his journey thither; and it is hardly less wonderful that a friendless European should have found congenial employment in that quarter than that he should have lived to reach it He remained for some years in the service of the Begum, fighting her battles successfully against the Sikhs and other assailants, until he was ousted by some other candidate for her favour, probably by Levasso, the person whom she unwisely took for her second husband. But he was too useful a man to be long out of employ. He was shortly retained by Appa Kandarow, an officer of Sindhia, was employed to reduce refractory Zemindars, and had licence given him to fight himself into possession of a fief for the support of the troops which he had been directed to enlist. Appa Kandarow is stated to have drowned himself in the river Jumna, under the pressure of a mortal disease; and from that time forth Thomas appears to have acknowledged no master. Overtures were made to him, more than once, to enter the service of Dowlut Rao Sindhia, and on one occasion Perron negotiated with him, whether sincerely or not, with that ostensible object, offering terms which would have tempted many men. But whether he distrusted Perron, or—as the event showed to be likely—because he had other and more ambitious views, he broke off the conference, and marched back to his fief. For Thomas was distinguished from the other adventurers then in the field not only by his humble origin, and by the bold step that he had taken in traversing unaccompanied, as far as we know, the whole length of India in quest of employment, but also by the singular boldness of his aspirations, inasmuch as he alone appears to have entertained the idea of establishing himself as an independent prince. He had obtained dominion by force of arms over a tract of country which apparently acknowledged no other ruler, and where every man did that which was right in his own eyes. This territory, or a part of it at least, had been ostensibly ceded to him by the Mahrattas, but, in fact, they pretended to grant what was not theirs to give, the inhabitants being virtually independent; and Thomas had to fight his way to supremacy against the formidable opposition of a very warlike population.

But let him tell his own tale:—

'Here (he says) I established my capital, rebuilt the walls of the city, long since fallen into decay, and repaired the fortifications. As it had been long deserted, at first I found difficulty in procuring inhabitants, but by degrees and gentle treatment, I selected between five and six thousand persons, to whom I allowed every lawful indulgence.

'I established a mint, and coined my own rupees, which I made current in my army and

country, as from the commencement of my career at Jyjghur I had resolved to establish an independency. I employed workmen and artificers of all kinds, and I now judged that nothing but force of arms could maintain me in my authority. I therefore increased their numbers, cast my own artillery, commenced making muskets, matchlocks, and powder, and, in short, made the best preparations for carrying on an offensive and defensive war, till at length having gained a capital and a country, bordering on the Sikh territories, I wished to put myself in a capacity, when a favourable opportunity should offer, of attempting the conquest of the Punjâb, and aspired to the honour of planting the BRITISH STANDARD on the banks of the Attock,' as he called the Indus.

Truly, it might be said of George Thomas, as King James of Scotland said of Johnny Armstrong, a hero of the border,

> 'What wants this knave
> That a king should have?'

coining money, raising troops, casting guns, and levying contributions, with a degree of calm confidence that would have beseemed the mightiest of conquerors. But Thomas was not a knave in the ordinary sense of the term. He appears, indeed, to have been a man of more than ordinary honesty. Like all soldiers of fortune, and like many soldiers not of that class, he was indifferent to the sacrifice of life which his ambition entailed upon those whom he defeated, but he was never wantonly cruel, and towards his own men he was eminently kind and considerate, settling pensions on the wounded, and on the widows and children of those who fell in action. War would be a more tolerable thing than it is, if all commanders of troops were as thoughtful and kind as George Thomas.

One fact is very remarkable—to which we shall have occasion to advert more at length in the sequel—not only in the record that we have of this man's strange career, but in all the narratives of that period, namely, the contemptuous light in which the military power of the Sikhs is invariably regarded. We all know what that power grew to at a later period, and the difference between the Sikh soldier as Thomas and Perron knew him, and as he faced the British army commanded by Lord Gough, can well be accounted for. Still that difference was extreme, and a very useful moral for our own guidance may be drawn from it.

From the time when he formed the bold resolution to establish himself as an independent prince, down to the date of his final fall, George Thomas was engaged in incessant conflicts with every class of his neighbours, in every quarter of the compass—Rajpoots, Mahrattas, Jâts, and Sikhs. And until he was crushed by the greatly superior numbers of the forces which Perron brought against him, he appears to have been uniformly successful. How profitable the results of one of these raids was (for raids they were, though on a small scale, with horse and foot, and not a few guns), the following extract from Major Francklin's work, given in the words of Thomas himself, will evince:

> 'Thus ended a campaign of seven months, in which I had been more successful than I could possibly have expected, when I first took the field with a force consisting of 5,000 men and 30 pieces of cannon. I lost in killed, wounded, and disabled, nearly one-third of my force; but the enemy lost 5,000 persons of all descriptions. I realized nearly 200,000 rupees, exclusive of the pay of my army, and was to receive an additional 100,000 for the hostages which were delivered up. I explored the country, formed alliances, and, in short, was *Dictator* in all the countries belonging to the Sikhs, to the southward of the river Sutlege.'

But besides payments of money, he imposed other onerous terms upon his enemies, compelling the Rajah of Puttialla first to raise the siege of the fort in which his sister had taken refuge, and then to restore her to her former position, and to pay a considerable penalty. And when he was finally brought to bay and compelled to surrender, he was able to stipulate that he should be escorted with honour by a battalion of regular Sepoys, commanded by an English officer, to the nearest cantonment of the British forces. From thence he proceeded to Benares, where he appears to have stayed for some months, and where he met his biographer, Captain Francklin, to whom he dictated those passages of the memoir which are manifestly, as they profess to be, the spontaneous productions of his own mind. Unhappily, after all his trials and perils, and after having faced death in numberless encounters, many of them hand to hand, he did not live to reach his native land, nor even Calcutta. He died and was buried at Berhampore, then a station of the British army. And if we can forgive him—what at that time, and under his circumstances, was rarely accounted a crime—that he shed blood, and that very largely, in the quarrels of others with which he had no concern, and that he manifested occasionally very violent outbursts of temper, we shall still, to do justice, be obliged to admit that he displayed many and very striking traits of generosity and benevolence, that he was scrupulously true to all his engagements, that he never

deserted or betrayed a friend or an ally, and that he possessed in an uncommon measure those noble qualities which secured to him the devoted attachment of all, of whatever race, who served under him.

One remarkable anecdote of the close of his career remains to be told. He was always devotedly loyal to the British Government, and the conclusion of his day-dream of conquering the Punjâb was always the annexation of that broad territory to the dominions of his Sovereign. On his way down the river to Benares he met the fleet of Lord Wellesley, then on his way to Lucknow. He was invited on board the boat of the Governor-General, who availed himself of the opportunity to obtain information, not only with regard to the amount of the forces that the Mahrattas could bring into the field, but also in respect to the geography of the wide provinces with which George Thomas was so well acquainted. The map of North-Western India was laid upon the table, and Thomas sweeping his broad palm over it from end to end, exclaimed, 'All this ought to be red,' the colour indicative of British dominion. And so it fell out, that after a very few short years, the restless ambition of Sindhia and his trust in Perron's battalions, provoking a collision, the fairest of those provinces became the legitimate spoils of war—for the Mahratta had but just wrested them from the Mogul—and were annexed to the British empire.

In justice to M. Perron we turn back from this episode, in order to clear his character from what appears to us to be an unmerited reproach. That he was addicted to intrigue we have already admitted, and it is equally certain that he gave a partial preference to his own countrymen, as respects promotion and command, not only over their English comrades, but also over those of the Mahrattas, whose good services deserved distinction and reward. But he has been charged with being 'false to his salt,' and with deserting his master, who had heaped honours and emoluments upon him, at the crisis when he had rashly brought upon himself the hostility of the British Government. Now it is beyond doubt that Perron did not stand by Sindhia in his extremity as he might have done, as men like De Boigne and George Thomas would have done, if the conflict had been with any other than the British power. But when the matter is more closely examined, it will be seen that just cause of offence and alienation had latterly been given to Perron, and that the master who had ill-treated him, and would, if he had dared, have treated him still worse, even to the last extremity, had no right to count upon obtaining specially zealous services from him. The story of this breach in the relations between the prince and his general is well and graphically told by Colonel Skinner, who was an eyewitness of the scene, which illustrates so strikingly the climax of Mahratta intrigue.

Perron had been summoned by Sindhia to Ohjein, where that chieftain was encamped. Here he was very coolly received. He reached the camp on the 20th of March, and it was not till the 26th that he was invited to attend on the Maharajah, and was then kept waiting for two hours, 'while Sindhia was amusing himself by flying kites.' When Perron was admitted his audience lasted only half-an-hour, when 'Sindhia dismissed the durbar, and desired Perron to return to his camp, which he did, completely disgusted with the cold and slighting treatment he had received from his master. Eight days now passed without the slightest notice or message from Sindhia to Perron,' while he was warned by a friend, a Mahratta officer of the highest rank, to be on his guard, 'as the Maharajah had resolved to lay hold on him,' to place him in a confinement from which he probably would not have escaped with his life.

'Perron (Skinner proceeds), aware of the intrigues of his enemies, became depressed and perturbed; when at length matters seemed likely to be brought to a crisis. A day was appointed for holding a durbar, to which Perron and all his European officers were invited. At this durbar Sindhia, together with his father-in-law Surjee Rao Ghatkea, had formed a plot to lay hold of him, and had employed 500 Pathans, belonging to Bahadour Khan (a chief then at Malaghur), and several others of his own favourites—his companions in vice and debauchery—to carry this purpose into effect.

'Perron, however, was made aware of this plot, and ordered all the native officers of both brigades, as low as the rank of Jemadar, as well as all the European officers, to come fully armed to attend his visit to Sindhia. Our full uniform included a brace of pistols attached to our sword-belts, and these he directed us to bring loaded. We amounted in all to 300 native and 30 European officers; and in this state of preparation we marched to the durbar, a large tent pitched for the occasion.

'At the hour of nine in the morning, headed by Perron, we reached the tent. Sindhia rose to receive us, and we all presented our nuzzurs. We were then directed to sit down on the left side of the presence, the right being occupied by the Pathans, who regarded us very fiercely. When we were seated, Sindhia, turning to Perron, observed that the invitation had only been extended to himself and his European officers; to which Perron replied, that in arranging his suite he had only followed the old rule laid down by himself and his uncle; and this

answer silenced him. All this time we sat quiet, eyeing each other, whilst much whispering went on between Sindhia, Gopaul Rao, and Surjee Rao. I believe it was Gopaul Rao who persuaded him not to attempt any violence, for that not only himself, but the whole party would be cut to pieces by the fine body of men whom Perron had brought in.

'Sindhia then ordered the Pathans to retire, and they all got up, looking at us as if they would eat us, while our men sat laughing at them with the most perfect unconcern. When they were gone, Sindhia and Surjee Rao began to flatter, and endeavour to throw Perron off his guard; but he, assisted as he was by his old friend Gopaul Rao, was too old a soldier to be so cajoled; and so khiluts were ordered for us all, and after receiving them we presented our nuzzurs, which he graciously accepted. Betel was then handed round, and we received leave to retire.

'Perron then got up, and taking off his sword, laid it down at Sindhia's feet, saying that he had grown old in his service, and that it did not become him to be disgraced by dissolute knaves and bullies; that all he wanted was his discharge. Then, addressing us, he said that henceforth we must look to Sindhia, for that he, for his part, was too old now to brook affronts, and must retire. Sindhia, on this, rose and embraced Perron, telling him that he regarded him as his uncle, and that he had no idea what had offended him. Compliments without measure passed between both parties, but, on taking leave, Perron cautioned Sindhia to beware of Surjee Rao Ghatkea, for he would be his ruin—a caution in which all the Mahratta chiefs joined cordially, and applauded the part which Perron had taken.

'At length we returned to camp, where several days were occupied in the transmission of messages to and from the Court, and in visits from chieftains who were sent to make matters up. But Perron was too indignant to be pacified.'

After so plain a manifestation as this of a malignant design upon his liberty at least, if not his life, it could not in reason be expected that Perron should retain any feelings of loyalty, not to speak of affection, for his treacherous master. Mr. Fraser, Skinner's biographer, says: 'Had Perron been honest and sincere, instead of a traitor as he was, the Mahrattas would have given much trouble to the English.' No doubt, Perron, if well affected, might have fought the battles of the Mahrattas with more skill, and perhaps with better success, than the inferior officers upon whom the command of his brigades devolved, but he must have been more or less than man if, after the provocation he had received, he could have placed his life at hazard in the service of so faithless a prince. At any rate, great allowance must, in justice, be made for a soldier, bound to his service by no ties of patriotism, who had so narrowly escaped a snare deliberately set by his master for his ruin. And it would seem that Perron had actually been dismissed by Sindhia from the chief command before Lord Lake commenced hostilities. However this may be, Perron did not strike a single blow against the British forces, but took the earliest opportunity of slipping away from his brigades, and surrendering to the English. And most of the French officers lost no time in following his example. The English officers had previously been discharged by Perron, who replied to Skinner's remonstrances by crying in broken English, 'Ah no, Monsieur Skinner, I not trust, not trust; I 'fraid you all go. Good bye, Monsieur Skinner; no trust, no trust!' And so he rode off, Skinner sending an indignant execration after him. For Skinner was at that time wedded to the Mahratta service, and knowing nothing of the fighting quality of the English soldiers, he believed that the troops which he had so often led or seen led to victory, might again be triumphant. It was not till after much persuasion that he entered the British service, and then only on the condition—to which Lord Lake, to his honour, assented—that he should not be required to serve against Sindhia.

For a long time we despaired of obtaining any trustworthy information as to M. Perron's movements after he left India, but at the last moment, by the kindness of a friend, we were directed to a work in which we least expected to find any trace of him—De Bourrienne's Memoirs. That author was appointed minister at Hamburg in June, 1805, and he notices the arrival of Perron—and by a second vessel, of M. Bourguien, another Indo-French general, who, as Perron's successor, fought the battle of Delhi against Lord Lake—at that port in September of the following year. Where they had spent the long intermediate period does not appear, but there was at that time, of course, no direct communication between British India and any part of France or of its dependencies, and it probably cost these officers much time and trouble to obtain the means of returning to their native land, even by a circuitous route. The bitter enmity stated to have existed between the two generals is easily accounted for. Bourguien, who had been left by Perron in command at Delhi, had got up an intrigue against that officer, 'asserting,' says Fraser, 'that Perron had turned traitor, and had gone over to the English; he invited the troops to make him their commander, and he would lead them on to glory.' Not content with this, Bourguien wrote 'to the cavalry at Muttra in-

forming them that Perron was a traitor, and enjoining them to seize him.' This was provocation enough, and the more so because it was in some sense true, for Perron had certainly, at that time, made up his mind to surrender himself to Lord Lake, though not before he had been superseded in his command by Sindhia. Bourguien, on his part, cordially hated Perron on the ground of the maxim, placed on record for all lands and all time by Tacitus,—'*Odi quem læseris.*' De Bourrienne writes:

'Il n'est personne qui n'ait entendu parler du fameux général Perron, qui a joué un si grand rôle chez les Mahrattes et près du prince Scindia. Il y avait un peu plus d'un an que j'étais à Hambourg quand il y arriva. Il vint me demander un passeport, et j'eus avec lui les conversations les plus amusantes sur ses aventures vraiment extraordinaires. Il me dit qu'il avait possédé plus de cinquante millions, mais que pour pouvoir s'embarquer dans un port des Indes orientales, il avait été obligé de payer aux Anglais des sommes si considérables, que cela avait emporté plus des trois quarts de ses richesses. Plusieurs de ses malles étaient remplies de magnifiques cachemires. Il eut la bonté de m'en offrir.

'Le général Perron était manchot. Il avait avec lui deux enfans, un garçon et une fille, nés d'une mère indienne, et dont la peau cuivrée rappelait leur origine maternelle. Le costume de ces enfans était si original qu'ils servaient pendant quelque temps de spectacle partout où ils allaient. Leur col et leurs bras étaient ceints de grands anneaux d'or pur, mais ce collier et ces bracelets ne resemblaient point à ceux que portent les femmes d'Europe que l'on met et ôte à volonté; ils avaient été soudés sur place, et cela avec tant de perfection qu'il était presque impossible d'en distinguer la suture. Ces enfans ne savaient pas un mot de Français; leur père paraissait les aimer beaucoup, et les caressait sans cesse.

'Quelques jours après l'arrivée du général Perron, arriva aussi du Bengale M. Bourguien, qui prit aussi un passeport pour la France. Il était en guerre ouverte avec M. Perron, qui m'avait aussi parlé de lui dans des termes pareils. Ils professaient un profond mépris l'un pour l'autre, et s'accusaient tous deux avec acharnement de la ruine des Mahrattes; mais tous deux avaient fait une immense fortune. Je ne sais pas ce qu'est devenu M. Bourguien; quant au général Perron, il vit retiré dans une terre magnifique qu'il a achetée dans les environs de Vendôme. Il s'est remarié, et a eu de ce second lit d'autres enfans, qu'il a parfaitement élevés. Une de ses filles, une ange, a épousé, il y a quelques années, un M. de la Rochefoucauld; mais peu de mois après cette union, la mort l'a enlevée aux adorations de tous ceux qui la connaissaient. J'ai connu son mari, sous-préfet à Sens.' (Vol. vii. p. 183.)

Perron had lived long enough among the Mahrattas to acquire, in full perfection, one of the most inveterate habits of those 'liars of the first magnitude.' De Bourrienne evidently believed, as Perron would have had him, that the English, who had really received him with the utmost kindness and hospitality, had fleeced him of three-fourths of his wealth, before they suffered him to leave India. When we remember that Lord Wellesley was then the Governor-General, and who they were who served under him, this fiction requires no other refutation.

The story of the adventurous career of James Skinner has been told well and in considerable detail by Mr. James Baillie Fraser, the author of the Kuzzilbash, a tale of Persian and Affghan life, very popular in its day, and of travels in those and other Oriental countries. Skinner, who was the son of a Scotch officer in the Company's service and of his Rajpootnee mistress, and who was wont to say that no man could be better bred for a soldier, did not rise to high command, like De Boigne and Perron, in the Mahratta service, for he was still young when he received, with other Englishmen, a very peremptory discharge from the latter general, who professed to distrust his British officers, though he himself altogether declined to stand to his colours. Skinner, indeed, seems never to have attained a higher position than the command of a battalion, in which he did excellent service, and passed through many and great perils. On one occasion, in 1800, he barely escaped with his life. In concert with the Karowlee Rajah, he was opposed to the Ooneara chief; the rajah was a coward and his men traitors, so that Skinner was soon left to fight the battle with his own battalions alone, greatly outnumbered both by the horse and foot of the enemy. When the affair became desperate, he says:—

'Here I made a short speech to my men. I told them that we were trying to avoid a thing which none could escape—that was death—that come it would, and, as such was the case, it became us to meet it, and die like soldiers.'

The issue was soon decided:—

'I had got clear of the enemy's infantry, who had got a little sickened, and showed less disposition to chase, but the cavalry kept on charging, and my men giving up very fast. . . . I still had some 300 good soldiers and my gun left, but a party of horse pressed me so hard, that I moved out with 100 men and stopped them. But when I looked back, I found only ten had followed me, the rest had turned back, and joined the gun. As I was going to follow them, a horseman galloped up, matchlock in hand, and shot me through the groin. I fell and became insensible immediately; and after my fall the poor remains of my brave but

unfortunate fellows met the same fate. I do not believe that 50 men out of the 1,000 escaped from the field untouched.

'It was about three o'clock in the afternoon when I fell, and I did not regain my senses till sunrise the next morning. When I came to myself, I soon remembered what had happened, for several other wounded soldiers were lying near me. My pantaloons were the only rag that had been left me, and I crawled under a bush to shelter myself from the sun. Two men of my battalion crept near me, the one a Soobahdar, who had his leg shot off below the knee, the other, a Jemadar, had a spear wound through his body. We were now dying of thirst, but not a soul was to be seen, and in this state we remained the whole day, praying for death. But, alas! night came on, but neither death nor assistance. The moon was full and clear, and about midnight it was very cold. So dreadful did this night appear to me, that I swore, if I survived, to have nothing more to do with soldiering; the wounded on all sides crying out for water; the jackals tearing the dead, and coming nearer and nearer to see if we were ready for them. We only kept them off by throwing stones and making noises. Thus passed this long and horrible night.

'Next morning we spied a man and an old woman, who came to us with a basket and a pot of water; and to every wounded man she gave a piece of joaree bread from the basket, and a drink from her water-pot. To us she gave the same, and I thanked Heaven and her. But the Soobahdar was a high-caste Rajpoot; and as this woman was a Chumar (or of the lowest caste), he would receive neither water nor bread from her. I tried to persuade him to take it, that he might live; but he said that, in our state, with but a few hours more to linger, what was a little more or less suffering to us—why should he give up his faith for such an object? No, he preferred to die unpolluted.

'I asked the woman where she lived, and she gave me the name of her village, which was about two côs from Jouke, and a côs and a half from where we lay. About three in the afternoon, a chieftain of the Ooneara Rajah's, with 100 horsemen, and coolies and bildars (porters and pioneers), arrived on the ground, with orders to bury the dead, and to send the wounded into camp. The poor Soobahdar now got water, of which he was in the utmost need—indeed, nearly dead for want of it. When we were brought to camp, we found a large two-poled tent pitched, in which all the wounded of my battalion were collected, and, to the best of my recollection, they amounted now to 300 men. No sooner was I brought in, than they all called out, "Ah, here is our dear captain!" and some offered me bread, and some water, or what they had. The chieftain had wrapped me in a large chudder (sheet) when he took me up; and right glad was I to find so many of my brave fellows near me.

'My wound was now dressed by the native doctors, and the ball taken out. They soon sent the Rajah word of my arrival, and he sent for me immediately. His tent was close by, and they carried me thither upon my charpau (low bedstead). The Rajah got up when I entered and made my salaam, and sending for a morah (stool), he sat down by me, asked my name, who I was, and what rank I held. I replied that I was a soldier, and now his prisoner. He then sent me back to my tent, saying that I required rest, and gave me much praise for my conduct in the day of battle.

'No sooner had I reached my tent, than a Chobdar came, on the Rajah's part, and presented me with 500 rupees, and a tray of cooked meats for dinner. Of the first I gave the Chobdar one hundred rupees as a present; the other 400, with the victuals, I divided amongst my men. As for myself, the surgeon gave me a good dose of opium, which procured me a fine night's rest. Next morning, the Rajah pitched a small tent for me, and wanted to remove me from the men, but I begged that he would permit me to stay with them; on which he came himself, and sat talking to me for an hour of different things, and sent me food from his own kitchen, and was kind and generous to all the wounded.

'We remained ten days with him in camp, after which he sent us all into his capital of Ooneara, where we were lodged in a large *pucka* house (that is, built of stone and lime). In a few days he followed, and visited us every day, and allowed me to write to Perron, stipulating for my letter being in Persian. We remained with him a month, when he sent us all to Bhurtpore, presenting me with a grand khilut, including a horse, a shield, and a sword; and giving ten rupees to each of the men, with more in proportion to the native officers. I am glad to say that my friend the Soobahdar was also fast recovering.'

Mr. Fraser adds a note :—

'The generous conduct of the Ooneara Rajah, one of the least of the Rajpoot princes, cannot fail of striking the reader, especially as contrasted with that of Holkar and some of the native chiefs: it breathes of, and illustrates, that generous and chivalrous spirit which of old was the boast and the attribute of the Rajpoot tribes.'

What hero of European chivalry, what Bayard or Sidney, could have shown more kindness and generosity to a fallen enemy? And our author does well to place the Mahratta Holkar in contrast with the Rajpoot chieftain. As regards the former race, from beginning to end of the volumes that we have consulted in writing this article, we have scarcely lit upon a single trait in the character or conduct of any Mahratta, high or low, indicative of a frank, noble, or unselfish spirit. They are all alike mean and treacherous, and they know that they have, and that they well deserve, the reputation which these words describe. Sir Arthur Wellesley was placed by circumstances, on one occasion, within the power of a Mahratta chieftain. 'Are you not afraid," said the

chief, 'to trust yourself with me?' As a matter of course Sir Arthur replied that he had the most unbounded confidence in the good faith and honour of his companion. 'Ah!' rejoined the chief, 'that's very well said, but after all we are but Mahrattas.' Assassinations, torturings, and brutal executions, crushing state prisoners' heads with mallets, trampling them to death under the feet of elephants, and the like, deface every page of their history from Sevajee downwards; and the Nana of Cawnpore was a true scion of the stock from which he sprang. Some few of their women have been bright examples of a gentler and more humane spirit, but ninety-nine out of every hundred of the race over whose decadence pseudo-philanthropists shed tears worthy of Mr. Pecksniff, are men unworthy of trust, tricky and false in civil life, and when kept down by the strong hand of power; cruel and bloodthirsty when placed in positions enabling them to manifest their natural character without restraint.

The Rajpoots are men of a very different type. They only are the true aristocracy of India; they only have any real hold upon the affections of the general body of their subjects. In many places where the Mahrattas ruled, the people of their own race were very few. Sir John Malcolm wrote, at the beginning of the century, that there were not more Mahrattas within the dominions of the Rajah of Nagpore than there were Englishmen in Bengal. We believe that the relations of the two parties to each other remain, to the present day, pretty much the same, if, indeed, the great influx of Englishmen of late years into Bengal has not turned the scale of numbers in their favour. But there are some who maunder over the annexation of the province to the British dominions on the death of the last rajah without heirs, as if the affections of a loyal and devoted people had been outraged by the measure, as if the Mahrattas had held the territory for centuries, and as if the whole body of the inhabitants of Nagpore clung to their rulers of yesterday as fondly as the natives of Rajpootana reverence the rajahs whom they believe to be descended from the Sun.

Up to the time of the breaking out of the war between Sindhia and the British Government, Skinner continued in command of a Mahratta battalion, doing zealous and excellent service; and it would seem that his father being dead, he felt no such tie of allegiance to England as would have led him to dispense voluntarily with the military obligations that bound him to the master whose salt he had eaten for several years. He appears, indeed, from Mr. Fraser's account of his feelings, to have imbibed a strong prejudice against his father's countrymen and the British service; he endeavoured, as we have seen, to induce Perron to recall his discharge, and he refused to accept Lord Lake's offer of employment, except with the stipulation that he was not to be required to serve against Sindhia. To this condition Lord Lake generously and wisely assented, and from that moment Skinner attached himself to the service of the Company with that loyalty and devotion which eminently distinguished his character, until, having won the favour of every general under whom he served—Lord Lake, the Marquis of Hastings, Sir David Ochterlony, and Lord Combermere—he was rewarded by the commission of a lieutenant-colonel in the British service, and by the Star of a Commander of the Bath.* But it is beyond the scope of this article to follow him into his new career; and we shall close our notice of this gallant soldier by the relation of two anecdotes, in one of which he was personally an actor, and in the other only an eyewitness.

The Rajah of Jypore had refused to pay the stipulated tribute to Sindhia, and, as we have stated, an army was sent to coerce him. A battle ensued, in which, despite the desperate valour of the Rhatore cavalry, the disciplined infantry prevailed, and the Rajpoots were driven from the field. Skinner was sent forward with 300 cavalry to ascertain to what distance the flight extended. He found the enemy's camp entirely deserted.

'My troopers (he says) dispersed to plunder, and I myself, with two of them, went on, and reached the Rajah's own bungalow, the most beautiful thing I ever saw, all covered with embroidery and crimson velvet. I entered, and saw nothing but gold and silver. In opening one of the Rajah's poojah (worship) baskets, I found two golden idols, with diamond eyes, which I immediately secured in my bosom. I found also several other trinkets, which I likewise took. . . In coming away I found a brass fish, with two chowrees hanging from it, like moustachios. It attracted my curiosity, and I tied it to my saddle. In my way back, I met numbers of Mahratta chief-

* Colonel Skinner left a large fortune and a numerous family by sundry wives and concubines, of whom he had at least fourteen. His domestic habits, and probably his creed, were Mahommedan rather than Christian. The Privy Council has recently had to decide on two occasions questions arising out of the descent of property and the peculiar *status* and creed of his family. One of these cases is still pending, which is to determine whether his granddaughter, Miss Victoria Skinner, is to be brought up as a Mahommedan or as a Christian.

tains, going and coming, who all looked at me, and laughed as I passed, for what reason I could not them imagine.'

On his return to the camp Skinner was sent for, rather to his consternation, as he was alarmed for his idols and trinkets, and found the Mahratta commander-in-chief sitting under a large tree. As he was not told at first why he was wanted, he grew confused, and as they all laughed, he became still more embarrassed. At last, the general asked what he had hanging to his saddle, and Skinner replied :—

"'A brass fish." "Will you give it me?" said he. "By all means," said I, "provided you will demand nothing more of me"—on which I loosed the fish and presented it to him. . . . He then explained to me that the fish I had given him was the actual *Mahi-Maratib* (literally "the fish of dignities"), or imperial ensign of honour bestowed by the King of Delhi upon the Rajah.'

Skinner little knew what a highly valued prize he had carelessly carried off.

On the day when Lord Lake carried by a *coup de main* the strong fortress of Allyghur, blowing open the gate, and storming with the 76th Foot (a deed of which Mr. Marshman tells us General Wellesley remarked 'that he had often attempted to blow open a gate, but had never succeeded, and that he considered the capture of Allyghur one of the most extraordinary feats he had ever heard of'), Skinner was standing on the glacis, watching the storming party, in very depressed spirits, having lost his command in the Mahratta service, and not having, as yet, been received into that of the Company. He had been struck with admiration at the style in which the 76th forced their way into the fort, through narrow passages commanded by loop-holed walls (though with the loss of 217 in killed and wounded, of whom 17 were officers), and the actual conflict had at last ceased, when he saw a private soldier issue from the broken gate, evidently exhausted by fatigue, with his mouth (as we ourselves heard him describe it), 'black with biting his cartridges,' and staggering under the weight of a large bag of rupees, which he carried on his shoulder. As he slowly passed on towards the camp, he was assailed by two troopers of native cavalry in undress, who appeared determined to despoil him of his hard-earned booty. The soldier defended himself as well as he could, but tired out and encumbered by his burden, he was on the point of being overpowered, when he suddenly opened the mouth of the bag and poured out the rupees upon the ground. The spoilers instantly threw themselves upon the prey, which they began greedily to pick up. While they were thus absorbed, the soldier deliberately loaded his musket, shot one of his assailants, ran the other through the body with his bayonet, and then calmly proceeded to replace the rupees in the bag. We have heard Colonel Skinner—a veteran when we knew him—tell this story far more graphically than we have been able to retail it. He told it to Lord Lake at the time, who endeavoured to find out the man who had so successfully defended what had accrued to him by the right of war; but he evidently thought that in such a case the philosophy of Corporal Nym—'*pauca verba*'—should govern his conduct, so he kept his own counsel and the rupees.

But although we had resolved not to follow Colonel Skinner's career after his entry into the British service, there is one passage which reflects so much honour upon him and on the gallant corps that he commanded, and which tells, indirectly, through what labours and fatigues Lord Lake led his army to victory, that we cannot forbear to quote it. Colonel Skinner says :—

'I reached that place (Coel) on the 27th, terminating a course of the severest service that any corps had ever gone through. In the chase after Holkar the army had gone 500 miles, in that after Meer Khan 700 miles; and mine was the only Hindoostanee corps during all that time that continued throughout the chase. It performed all the duties of the camp, and, to the best of my belief, was never less than eighteen hours out of the twenty-four on horseback. The hardships endured by my men, who were constantly out, were well known to the Commander and officers of the two detachments. On the smallest calculation, they underwent in these two chases full twice the labour and hardships endured by the regulars, and often in the chase after Meer Khan, when my men had the rear guard, have they picked up the European dragoons, who were knocked up on the march, and dismounting, put them on their own horses, and led them thus to camp, conduct which made them beloved by the dragoons; and notwithstanding this hard duty, they never murmured, nor were once accused of disobeying any order whatsoever; and never did they turn their backs before the enemy, though frequently opposed to far superior numbers. His Excellency's kindness towards the corps was great, and whenever service was to be performed, I was sure of being sent for, which was a matter of the greatest consolation and satisfaction to me, and gave me spirits to undergo my labour cheerfully, knowing that if anything were done, it would not fail of being acknowledged by his lordship. In these two campaigns, I had the satisfaction of receiving from his Excellency two swords and a pair of pistols, a circumstance which was regarded as a mark of great favour and approbation.'

We should have closed here that part of our retrospect which relates to the Mahrattas, but a sense of what is due to the British Government of India, unjustly impugned by an unworthy comparison, compels us to extend this branch of our subject a little farther. Looking at the condition of Northern, Western, and Central India from the date—to go no farther back—at which Madhajee Sindhia first entertained European officers in his service, to the conclusion of the campaign of Lord Hastings against the Mahrattas and their vile satellites the Pindarees, and taking that state of things as a type of native society under the rule of princes of average character, it is passing strange that a statesman so acute as Lord Salisbury should have been led to harbour a doubt whether the British Government were really regarded by the great body of the native population as superior to the domination of rulers of their own race. It is true, no doubt, that the Government of the Moguls, under the best sovereigns of that nationality, was greatly superior to that of the Mahrattas, who seem to have regarded themselves as encamped for a season, rather than as rulers for all time, in the territories which they occupied and fed upon as locusts might feed. But the sceptre of the former had been irreparably broken; the whole country was a chaos, devastated by hostile armies; and it appears to human eyes absolutely certain that if the English had not interposed, the dominion of the Mahrattas would have been indefinitely perpetuated from the Bay of Bengal to the Himalayas, and the people ground to powder under their cruel sway. What that sway was, history is unable to tell without coining new words for the purpose. The 'wulsa' of a district was the exodus of the whole population from their homes, to take refuge with the wild beasts from the more merciless Mahrattas and Pindarees. Colonel Wilks tells us that the wulsa never went out before a British force, *if unaccompanied by native allies.* There were no hamlets, no detached houses, the villages (far apart) had each its walls and moat; and all the inhabitants within reach of fortified towns fled thither for refuge. When such a town was taken, the whole population was given up to plunder. The men were brutally tortured to extract their money, and the women were either ravished, killed by their husbands or fathers, or self-immolated to escape dishonour. It would seem to be impossible to exaggerate the atrocities committed and the miseries endured by the actors and sufferers respectively in these provinces and at that time. There are districts, severally attached to the presidency of Bombay and to the Central Provinces—Candeish and Nimar,—which have not, to this day, recovered from the desolation and depopulation inflicted on them by their ruthless invaders more than half a century ago. This is no figure of speech; it is a simple matter of fact. And this would have been the condition of all India if the British power had not been raised up as a barrier against the flood of rapine, lust, and bloodshed. For no one can pretend that native society possessed in itself any recuperative power. There was no hope that any individual or class would stand forward to stem the tide. The people thoroughly appreciated their own misery, and they designated the period as the 'era of troubles.' Time has doubtless rendered the recollection of those inexpressible horrors less vivid, but they still survive in traditions; and the people, even of the present day, well know the difference between the march through their country of an English and a Mahratta army, between an English collector and a Mahratta mamlutdar.

Lord Salisbury has clearly formed his notion of a native government from what he has heard or read of their condition at the present day. But that they are what they are is solely owing to the existence—all powerful to restrain—of the government which he depreciates. If that government did not exist, the Mahrattas would be at this day exacting unlimited 'chout' (black-mail) from the Rajpoot States, if they had not already trampled them out of being; the same ubiquitous horsemen would have overrun and put under tribute the whole of Southern India; and the Sikhs would have occupied all the North-Western Provinces and Oude. The two dominant races would have then flown at each other's throats. Between two such millstones the subject peoples, of all races, would have been ground to powder. Our example and our power combined have made the native States what they are; and if the people are happier under Sindhia, Holkar, or the Nizam than they were under their predecessors a hundred years ago, their thanks are as justly due to the British Government, and to that Government only, as if they were the subjects of Queen Victoria.

We have stated that at the period of which we were treating the Sikhs were very lightly esteemed as soldiers. They appear to have been generally routed whenever they attempted to break into Hindostan, and George Thomas spoke with great confidence of marching, with his very moderate force, through the whole breadth of the Punjâb, and planting his standards on the banks of the Attock or Indus. In the volumes which we have consulted their soldierly qualities are never mentioned with any respect; and we

well remember that Lord Metcalfe, whose escort had beaten back a violent assault which a body of them made on his camp, when he was sojourning at Lahore in 1808, as an ambassador to Runjeet Singh, expressed great surprise when he heard with how much vigour they had attacked the British forces under Lord Gough, and how hardly our victories over them had been won. He estimated Runjeet's whole force at only 12,000 men at the time of his mission, and as they were at that time wholly destitute of European training, he had formed a very mean opinion of their military qualifications. Nearly fifty years ago, in a news-letter received by the Resident at Delhi from Lahore, the writer recorded that Runjeet Singh had held a review of a large body of his cavalry, and had asked one of the European officers who had recently entered his service, how many of those fine fellows would be able to ride over a regiment of English infantry? 'Not a hundred thousand of them,' was the candid answer. Unlike most Asiatic princes, Runjeet was wise enough to take this discouraging opinion in good part, and practically profited by it. He never to his dying day measured swords with a British force. His successors, or rather the headstrong and mutinous soldiery, whom they nominally commanded, were less sagacious. They crossed the Sutlej to march, as they persuaded themselves, upon Delhi, and hence, after an interval of some years, the almost entire destruction of Runjeet's fine army, and the annexation of the Punjâb.

But between the period when Runjeet sought information from what Lord Byron calls

'The wisdom of the cautious Frank,'

as to the relative power of his cavalry and of the British infantry, and the day when the Sikh army crossed the Sutlej, a great change for the better had been effected in the discipline and consequent efficiency of that army. Runjeet had raised large bodies of infantry, and they had been carefully drilled and instructed by European officers; and so successful had been the process that the forces which met Lords Gough and Hardinge on the hither bank of the Sutlej were, beyond all comparison, the most formidable enemy with which the British power had ever been brought into collision in India. A large train of artillery had been formed, of metal so heavy that our lighter field-pieces were quite unable to cope with them in any duel of that arm; and all our successes against them in the first Sikh campaign were consequently won, at a heavy sacrifice of life, by the brilliant courage of our troops of the line, who charged and captured their batteries. The Sikhs owed their beautiful guns, as well as the discipline that insured the steadiness and cohesion of the gallant infantry which supported them, entirely to the European officers whom the wise Runjeet had attached to his service. His principal generals were all French or Italian—MM. Allard, Ventura, Avitabile, and Court; and though they had all, we believe, wisely left the service and the country before the far-seeing policy of Runjeet had been discarded—fearing probably the unbridled license of the soldiers whom they commanded quite as much as the British forces—they left behind them a legacy of discipline and of what the French call *solidité*, which, though it puffed the Sikhs up with an extravagant notion of their own prowess, encouraged them to stand shoulder to shoulder in their fierce conflicts with the British infantry. Mr. Lepel Griffin has given a good account of this transformation of the Sikh army from the rabble that fled before George Thomas and the Mahrattas in his very instructive work on the 'Rajahs of the Punjâb.' He says:—

'Under Maharajah Runjeet Singh, the Sikh army almost entirely changed. The cavalry ceased to be the chief part of the force, and the infantry became the favourite service. This was in part owing to the labours of some European officers whom the Maharajah took into his service, and who introduced the teaching which had become general in Europe, the value of infantry, as against cavalry, being everywhere acknowledged. Some of these officers, Allard, Ventura, Avitabile, and Court, were men of considerable ability, and quite competent to perform all they promised in increasing the efficiency of the Lahore army. The infantry under their instruction became a most formidable body of troops, well-disciplined and steady, though slow in manœuvring. Their endurance was moreover very great, and a whole regiment would march thirty miles a day for many days together. The enlistment in the regular army during the great Maharajah's reign was entirely voluntary, but there was no difficulty in obtaining recruits, for the service was exceedingly popular.'

He goes on to say that 'the Sikh cavalry in the time of Runjeet Singh were, as a rule, miserably mounted and armed, and were more celebrated for taking to flight when attacked than for any display of valour.

'On foot, the Sikh is one of the bravest and most steady of soldiers, and, well-led, would probably hold his own against the best European troops. He is unhappy on horseback, and is surpassed by Affghans and Hindustanis, troops far inferior as infantry soldiers. In the time of Runjeet Singh, the infantry were the pick of the youth of the country; only the handsomest and strongest men were selected;

while the cavalry were irregular troops, the contingents of the different sirdars, and not appointed for any considerations of bravery or strength. The horses were small, weak, and ill bred, and the accoutrements were of the roughest and coarsest kind.'

These horsemen and the Sikh infantry—such as they were before their French commanders taught them their business,—were the troops that Thomas calculated so confidently, and probably with so much reason, upon sweeping out of his way on his march to the Indus. What they afterwards became we experienced to our heavy loss in many a bloody encounter, as did the Affghans and still wilder inhabitants of the trans-Indus territory. By the aid of his disciplined infantry, Runjeet Singh wrested from the Mahommedans Peshawur and its dependencies up to the mouth of the Khyber Pass, and this slip of frontier has been attached, with the rest of the Punjâb, to the British Empire.

Of those whom we have named as the principal officers employed by Runjeet Singh to discipline his soldiers, we believe that Allard was the only gentleman by birth and education. He had held a commission in the army of the first Napoleon, in which Ventura was a serjeant. These two had entered the Punjâb together, through Persia, but we do not know whether they had travelled in company the whole distance from Europe. It is stated that they were reduced to such extremities before they reached India, that they were compelled to earn their bread in Persia, or elsewhere on their way, by sweeping a mosque. For whatever reason, Allard never exercised any civil functions, but Ventura was for some time the administrator of the Rechaab Doab, having his headquarters at Vuzerabad on the Chenab river. We never heard either good or evil of him in his civil capacity. His widow, pleading destitution, applied for and received, a few years ago, a small pension from the Government of India. He died, we believe, in France. Allard never left the Punjâb, and was buried at Lahore, or in its immediate neighbourhood. Court seems to have been a mere drill-serjeant.

But Avitabile, the fourth man, a Neapolitan by birth, left his mark, in characters of blood, upon the district that he ruled. He had charge of the frontier, and resided at Peshawur, where he exercised full civil as well as military power. This trans-Indus territory had been conquered by the Sikhs from the Affghans; the population was mainly Mahommedan, and therefore impatient of infidel rule; and the mountaineers beyond the border were even more fierce and lawless than the inhabitants of Peshawur and its immediate neighbourhood—which it was not very easy to be. Life was held at a very cheap rate, and to rule such a population was a task of great danger as well as difficulty. By all accounts Avitabile was completely master of the situation. A very vivid picture of his character and administration is briefly sketched in a work of fiction, called 'The Adventures in the Punjâb,' written forty years ago, when he still governed the border Province, by the late deeply-lamented Sir Henry Lawrence. He says:—

'The most lenient view that can be taken of General Avitabile is, to consider him as set in authority over savage animals—not as a ruler over reasonable beings—grinding down a race who bear the yoke with about as good a grace as a wild bull in a net, and who, catching their rulers for one moment asleep, would soon cease to be governed. But it is to his disgrace that he acts as a savage among savage men, instead of showing them that a Christian can wield the iron sceptre without straining it by needless cruelty or personal vice; without following some of the worst fashions of his worst neighbours. General Avitabile has added summary hangings to the native catalogue of punishments, and not a bad one either, when properly used; but the ostentation of adding two or three to the string suspended from his gibbets, on special days and festivals, added to a very habitual carelessness of life, leads one to fear that small pains are taken to distinguish between innocence and guilt; and that many a man, ignorant of the alleged crime, pays with his life the price of blood. For it is the General's system, when, as often happens, a Sikh, or any other of his own men, disappears at or near any village in the Peshâwur territory, to fine that village, or to make it give up the murderer or murderess. The latter is the *cheapest* plan; a victim or victims are given up, and justice is satisfied.

'Still General Avitabile has many of the attributes of a good ruler; he is bold, active, and intelligent, seeing everything with his own eyes, up early and late; he has, at the expense of his own character for humanity, by the terrors of his name, *saved* much life. Believed to fear neither man nor devil, he keeps down, by grim fear, what nothing else *would* keep down, the unruly spirits around him, who, if let slip, would riot in carnage. His severity may therefore be extenuated as the least of two evils; but no such palliation can be offered for gross sensuality and indecency, tending to degrade the very name of Christian in the sight of, perhaps, the very worst specimens of God's creatures among whom he dwells. Avitabile's whole system of morals is oriental, avowedly eschewing force, when artifice can gain the point, and looking on subjects as made to be squeezed. In person he is tall and stout, with bushy beard, whiskers and moustache, marked with the small-pox, and with a coarse and unprepossessing countenance, exhibiting at times the worst passions of man, but again lighted up into even a pleasing expression; of no edu-

cation, but with strong natural sense and ability, he has acquired a good knowledge of Persian and of the Panjabi dialect. Strangely influencing those around him, and influenced by them, his history is a curious study, and when his own generation has passed away, will hardly be believed.'

We were well aware, before we read this statement, that Avitabile ruled the Province with a rod of iron, and that he succeeded in cowing the wild tribes on both sides of the border by the promptitude of his measures of repression, and the unsparing severity with which he administered punishment. But we confess that all which we had heard of the unscrupulous and sanguinary character of the measures that he pursued to inspire terror falls far short of the truth as recently made known to us. We have now before us a photographed fac-simile of a Persian sunud or grant issued by Avitabile in the following terms :—

'By the grace of the Immortal Being.

Ameer ud Dowlah Dilawar Jung.

Chevalier General Avitabile, Sahib Bahadur.

'At this time, the villages of Kari-Chandari and Shamshu have been granted in Jägir to Kumer-ud-deen Khan, leader of Mussulmah Calvalry of Peshawur, from 1st Asin 1797, on the following condition of service :—That each year he cut off and bring before the Sahib Bahadur the heads of fifty Afridi men. The revenue of the said villages is to be enjoyed by him from the Kharif crop of the year stated for his maintenance, and everyone is strictly forbidden to interfere with his possession. This order is to be carried out. Whatever number of heads may, within the year, fall short of the prescribed number, a deduction of fifty rupees is to be made for each head by way of fine from the aforesaid individual. At his request, a grant of this Jäger has been made in writing, with the two stipulations cited.

'Given at Peshawur on 4th Magh, 1797.'

No comment that we could offer upon this document could come up to its naked atrocity. We are not without misgivings, however, that the British Government has erred in the opposite extreme, by attempting to repress the outrages of tribes so fierce and reckless as those who ply their trade of rapine and bloodshed upon that wild border, by gentle means. In such a case, the stern and unsparing administration of retributive justice is the truest humanity.

To return to the state of things which we have briefly described—the feebleness of the Sikh forces at one period, and their extraordinary prowess at another, ought to convey an important moral for our reflection and guidance. In the case of the Sikh soldiery we see exhibited the two extremes of the utter want, and of a high degree of discipline. The men whom it cost Thomas and Perron so little trouble to defeat with troops of no very high quality, were every whit as personally brave as those who maintained such a desperate and for a long time almost equal conflict against English soldiers at Sobraon and Chillianwalla. There was but the one difference between the Sikhs of the two eras.

Yet the vast importance of this difference is altogether ignored by those who talk and write as if soldiers fit to cope with troops, whether English or native, led and disciplined by British officers, could be raised up on the spur of the moment, like the armed men who sprang of old from the dragon's teeth, to wrest from us the empire of India. They are well aware how essential discipline is to the efficiency of our own troops, but they seem to think that those troops might be defeated unless they were very strong in numbers, and our power thereby placed in jeopardy, by the wild tribes of the jungles, by Ryots from the ploughtail, or by the rabble of the great cities of India, converted into soldiers at the shortest possible notice. No doubt our army in India bears a very low numerical proportion to the population. No doubt there are peoples within its limits who at different times and under favourable circumstances, such as the drills of De Boigne and Perron, have been trained into fair soldiers. But we must bear in mind with whom they had to fight—men in some cases less brave, and in others with far less discipline, than themselves. Since Clive routed thousands at Plassy with the merest handful of good soldiers, down to the present day, the people of India, other than men trained (like the troops that faced Lord Lake at Laswaree, or those who gave Lord Gough so much trouble at Sobraon) to rely each on his right and left hand comrades, to stand steady under fire, and to change their ground without breaking their ranks or falling into confusion, have never caused us the least serious anxiety. The history of the European adventurers in India demonstrates that even with their assistance the native forces have never been able to resist the firm ascendency of the British Government, and without it they were altogether powerless. Yet circumstances were in those days much more favourable to the growth of indepen-

dent military power among the native states. No such European adventurers, and no such armies as they once raised and commanded, could now arise in India; and the dangers which formerly threatened from that quarter may be said to have disappeared altogether.

Art. IV.—1. *A Treatise on the Game Laws of England and Wales.* By John Locke, Esq., M.P., Q.C. 5th edition. London: 1866.

2. *Laws in Force in the Colonies as to Trespass and also as to the Preservation of Game.* Presented to both Houses of Parliament by command of Her Majesty. 1871.

3. *Reports from Her Majesty's Representatives Abroad on the Laws and Regulations relative to the Protection of Game and to Trespass (I. and II.)* Presented to both Houses of Parliament by command of Her Majesty. 1871.

4. *A Bill for the Abolition of the Game Laws.* 1870 and 1871.

The traveller who takes a road leading from the little town of Alton, on the Guildford branch of the South-Western Railway, to a village called Liss, not far from Petersfield and on the direct Portsmouth, will pass through a pretty hamlet nestled under the northern face of a prominent chalk cliff or hanger. It has no remarkable features, except a clear perennial stream called the Wellhead, and a vast old yew tree in the churchyard. In that churchyard, however, lie the remains of a man who has made the village famous, and whose one small volume has had much to do towards bringing out one of our most distinguishing national characteristics, the love of natural scenery combined with that of natural history and sport. White's Selborne has been the delight of successive crops of school-boys for the last eighty years, and has, perhaps, by itself and by quotations from its pages, done more than any other book to stimulate amongst us those tendencies which form the civilised development of the hunting instinct. Dame Juliana Berners is now chiefly remembered by citations, like Max Müller's, illustrative of the history of language. Sir Roger de Coverley's pack of harriers is charming, although, after all, the 'Spectator' only gives us an account of one day's sport. But the old naturalist, who could not be persuaded to change the home of his youth for the best living which Oriel had to bestow, delights us by the variety of his experience not less than by the pellucid clearness of his English.

This love of the country and of country pursuits for their own sakes often includes within it a love of sport also for its own sake, but we doubt much whether Mr. Rogers' gibe for English tastes, 'It's a fine morning, let's go and kill something,' often or ever gives a correct view of the case. Out of the 54,203 sportsmen who took out licenses in the year 1869, we suspect that very few were inspired by the mere desire to slay; in most the love of fresh air and exercise, and, as regards the Scottish contingent, the love of scenery, had much to do with the matter, and many would rather part with the grouse and black-cock than with the view of the hills where the grouse and black-cock dwell.

These feelings, to philosophers like the honourable Member for Leicester, are no doubt very contemptible; but, until Mr. Taylor succeeds in altering the inmost nature of his countrymen, these feelings will continue to bear sway. Nor are they confined to that aristocracy which he so cordially detests. The tired merchant, the overworked professional man, each enjoys them in various proportions during his autumnal holiday; and if all have not the same love of scenery, yet the beaters who scramble through our coverts, the shepherds and gillies who drive our hills, the very children who act as 'stops' when the squire shoots his pheasants, join with their betters in various ways, but with much of the same keenness in their love of sport.

Still, this is but one side of the picture. A poacher in a condemned cell awaiting execution for the murder of a game-keeper, a tenant-farmer ruined by game, even a poor lad in gaol for snaring a hare, are not satisfactory objects of contemplation; and it is anything but pleasant to think that what is sport to one class may be social or commercial ruin to another. Now in the year 1869, there were 10,345 persons convicted under the Game Laws in England and Wales, so that we cannot deny that a vast evil exists. Does it admit of any remedy short of that proposed by Mr. Taylor, the abolition of all game laws, bringing with it the partial or entire extirpation of game?

The question of the Game Laws labours under this disqualification for Parliamentary importance, that it has within it no element of a directly party kind. It is true that Mr. Taylor and the 'enraged' game abolitionists are mostly to be found on one side of the House; but then on the other side there is a growing feeling against rabbits which has extended itself to 'fur' in general, probably

from a sort of dread among County Members that the Scotch example may be contagious, and English seats be sacrificed as Scotch seats have already been. Still, one finds all sorts of opinions on game, mingled with all sorts of opinions on party politics; and perhaps the prevalent feeling is that of those who say in the words of a formula so attractive to a careless legislator, that the question is a very difficult one—they look at it, and pass by on the other side.

One reason of this indifference probably is, that there are many points of view from which the question may be regarded, and that in general men only look at it from one point of view out of many. The game preserver, landlord or landlord's nominee, feels that a good deal may be said against game-preserving and game laws; that the subject is an awkward one; that much popular prejudice exists on the subject, now for the most part dormant, but easily to be excited; and that for game-preservers to stir might possibly be detrimental to their interests, and would certainly be dangerous. The tenant-farmer, having the game, is the strictest and best game-preserver in existence, and gets the best rent if he lets it. If his landlord retains the game in his own hands, the question of game damages is always one which can be conveniently raised in plea of an abatement of rent; while in either case it is often not his interest to be clamorous, particularly in England where the great estates are usually held at rents far below the value of the land. The mere political economist or student of social science, looking at the preservation of game chiefly as a source of crime, feels the immense difficulty of attacking the present system simply on social grounds, and the Home Secretary, oppressed with Hyde Park meetings, capital convictions, unsuccessful licensing bills, and 'that which cometh upon him daily,' the care of parrying inconvenient questions by ingeniously devised answers, thinks that there is no need for him to do more than take the question into that which must surely form the very pavement of the Home Office—serious consideration.

So matters have gone on from year to year with this evil of petty poaching getting constantly worse and worse. For it must be remembered that it is not the outrages which increase so much as the petty larceny business—the small offences where a gamekeeper prosecutes and a poor country lad is the culprit. And yet these small offences are his first introduction to a gaol, thereby fixing him, in his own estimation and that of his fellows, in that criminal class, the retreat from which is as hard as the ascent from Virgil's Avernus, and as hopeless as escape from Dante's Hell.*

But although the question of the Game Laws is not a party question, there is perhaps as much strong feeling displayed, even on the side of enlightened abolitionists, as has ever distinguished the annals of any political conflict. Look, for example, at the spirit of Mr. Taylor's Bill for the abolition of the Game Laws. After referring to statutes enacted, as he says, for the protection of certain species of wild animals, he asserts that in consequence of such legislation the said wild animals have multiplied; that this increase is injurious to the farmer and to the consumer, and demoralises the people by tempting them to break the law; and he accordingly proposes to repeal all laws having to do with the preservation or the sale of game.

The first recital in Mr. Taylor's preamble introduces a phrase of which the opponents of game-preservation are never weary—the phrase *wild animal*. Now it must be remembered that the ancient law recognised beasts of forest—wolf, boar, red deer, and *hare*; beasts of chase—fallow-deer, fox, marten, and roe; beasts of park, which are the same as beasts of chase; and beasts of warren, *hares*, conies, *roes*, partridge, quail, landrail, &c., pheasant, woodcock, &c., wild duck, heron, &c., but not grouse (Locke's Game Laws, Introduction, pp. 16, 23, 24, 29). But the *ferœ naturæ* about which the Norman kings took so vivid an interest were those larger creatures, now either extinct or not the object of poachers' wiles, and hares, rabbits, partridges, pheasants, blackgame, and grouse were either regarded as insignificant or as unapproachable. It is the invention of 'the art of shooting flying,' including as it does the 'art of shooting *running*,' which has given to our game animals their enhanced value, as it is in a great degree to extended cultivation that we have to ascribe their increased numbers. People forget that were it not for the 'stooks' in the Highlands, both grouse and blackgame would perish every winter in vast quantities; while as to partridges, though they live on insects and grubs during the summer, it is from the wheat and barley stubbles in autumn and winter that their principal sustenance is derived. Of pheasants it is unnecessary to speak, while hares and rabbits are so prover-

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* Convictions for trespassing in daytime in pursuit of game, 8,894; night-poaching, 521. Being out armed, taking game and assaulting gamekeepers, 83, of which 9 were in Cheshire and 8 in Derbyshire. (*Return as to Game Convictions in* 1869.)

bially fond of turnips that this is the worst accusation they labour under.

The fact is, that the most important members of our game list are not 'wild animals' at all. They are all partially reclaimed and largely dependent on cultivation for their subsistence. Let us look at this more in detail. The modern practice of shooting in parties, otherwise called battue-shooting, has brought with it a custom not, we believe, known in those countries from which battues are imitated, the custom of rearing pheasants by hand. There are certain coverts, there are even great estates, in which pheasants are to be found in large numbers, where this custom is not resorted to, but these are exceptional cases. Given a block of arable land with woods of sufficient size in the midst of it, and it is possible to obtain a large quantity of pheasants simply by 'sparing the hens.' In that case the hen pheasants distribute themselves in the fields around, and bring up their young families undisturbed and with plenty of feeding ground. But when the principal coverts are not in the middle of the preserve, where they are not well surrounded by arable land, and especially where too large a stock of hen pheasants is left, it is the experience of gamekeepers that these hen pheasants desert their nests before hatching time, instinct, we presume, telling the parent bird that there is a deficiency in that insect food which is so necessary to the young poult. To meet this difficulty, the eggs are collected and put under barn-door fowls, who rear the young broods with great skill and success. We have known cases where, out of hundreds, hardly one has been lost. The gamekeeper or his wife tends the coops with the utmost regularity, the poults at that period of existence being almost tame, and running over the very boots of their friend and protector in their eagerness to pick up the chopped egg and rice and other food, such as ants' eggs, which his liberal hand supplies. Do not let the uninitiated believe, as writers in newspapers generally do, that a coop-nurtured pheasant will not fly as well as one which has depended for rearing on its natural parent. They are just as strong on the wing when they come to maturity; the 'hot corner' requiring as much skill when the pheasants which rocket over the shooters' heads are brought up at a hen-coop as when they have no human care expended in their early nurture.

We may here observe that the pheasant is the only game bird which has been improved by the introduction of fresh varieties. The partridge of the arable counties is no longer the little brown bird which we still see upon the edge of moors in Scotland and the north of England, and which is said to survive in Norfolk; it is larger, plumper, and with more marked plumage. But the pheasant of 1871 is not the same species as the pheasant fifty years back. There have been several varieties introduced; the ring-necked pheasant, for example, is, we believe, quite recent, and accompanied by larger size and quicker growth. A small species of Japanese pheasant has recently found its way here, the cross between which and the common pheasant is a very fine bird, though the Asiatic ancestor is notably smaller than ours. Its flight also is different, lower and, if we might use the term, more sneaking, than that of the common species. What gamekeepers call the 'greenback' is, we believe, crossed from an Indian breed introduced by Mr. J. H. Gurney some years since.

But to return to our subject. Though pheasants are the only species of game artificially reared in any great numbers, partridges may also be regarded to a great extent in the light of half-reclaimed creatures.* It is true they do not, like curses and chickens, return to roost, nor are they fed by hand like pheasants. But they are nearly stationary, seldom moving many hundred yards from the spot where they were hatched, and feeding habitually on the same stubble and round the same stack. When the practice of what is called 'driving' partridges was introduced some years since, many experienced gamekeepers looked upon that practice with feelings akin to despair. They said it would 'drive all the birds off the ground.' We can appeal to our readers' experience whether this has been the case or not. It is true that when partridges have been often driven in the same direction, they will mount up to an extraordinary height and fly to a great distance, perhaps out of sight.† But this is naturally to be ascribed to previous disagreeable experience of certain hedges, and the very fact that they so change their manner of flight shows their acquaintance with the ground as well as their recollection of the results of lower flights on other occasions. If the birds were not the same, there is no reason why they should day by day show increasing timidity. Moreover, it is to be remembered that for a great part of their sustenance partridges are directly dependent on cultivation. As a rule, the eastern counties of England are highest in average of acres under corn, and they are also the partridge counties *par excellence*. In

* Partridges are of course sometimes hatched under hens, though comparatively seldom; they are much less easy to rear than pheasants.

† This does not apply to the French or red legged variety

fact, barley, young clover, and partridges go together, and other things being equal, where there is most corn, there are partridges to be found in the greatest number. And that they have largely increased can admit of no doubt. Gilbert White talks of parties of sportsmen who killed twenty and thirty brace a day as unreasonable, and the amount of game which rendered such a slaughter possible he evidently regarded as quite unusual. It was in fact confined to one spot, the edge of Woolmer Forest, and to two exceptionally dry seasons, 1740 and 1741.

Our ancestors showed a perception of the truth when they included the hare in common with much nobler creatures—boars, wolves, and red-deer—in the list of beasts of forest. Hares are in fact the wildest and least reclaimed of all our game animals. And yet they may call the poet Cowper to witness that they are tameable, and though examples of timidity, as a rule they never flee far. The fact that hares usually run in a ring when hunted shows that they are acquainted with but a very limited extent of ground. It is only when a hare is pressed out of country she knows that she runs like a fox, straight away from her pursuers.

Of all game animals, the rabbit has probably the least claim to be regarded as wild. He is essentially a 'beast of warren,' and when actually so, loses his character as game, and is considered as property. To rob a warren at night is a misdemeanour just as much as to steal the tame variety of rabbit from a hutch, and is punishable under the 24 and 25 Vict. c. 96, an Act relating to larceny and other similar offences. Of all game animals he is the most prolific, the most injurious to crops, and consequently the most unpopular. If his hand is against every farmer, every farmer's hand is against him. There are circumstances, however, under which he may be preserved, and that to a great extent, without doing appreciable damage. And there are many spots, and even tracts of land, where he is the only possible produce. But on heavy land, it is not what he eats or what he damages in the matter of crops generally, of which the farmer complains, but the great injury he does by stopping up land ditches and thereby destroying drainage. It is however to be remarked, that whatever his demerits, he is so popular an article of food that, in spite of an enormous importation from Ostend, his price has doubled in the last twenty years, while that of other descriptions of game has remained nearly stationary.* There is no other description of game of which enough is imported to affect prices; rabbits alone are sent here in large numbers, but curiously enough, *with* foreign import, rabbits become dearer; *without* foreign import, moor-game, hares, partridges, and pheasants remain at nearly the same price.

We think we have said enough to prove that the term 'wild animal' is not very appropriate to those kinds of game which constitute the staple of English preserves. If, like woodcocks and snipes, they came in a night and went away in a night, uncertain in their arrival, uncertain in their stay, uncertain in their departure, there might be good reason to call them wild. But when they are hatched in our coops, domiciled in our fields, feeding in our sight, eating the pinks in our gardens, and hopping past our windows, it is too much to call them wild, except in the sense in which poultry and farm animals are wild; that is, if you try to catch them they will run or fly away from you. One distinction between the two classes of creatures is this, that of game properly so called, excluding rabbits, there is no tame variety, while poultry and farm animals, even sheep, have somewhere or other a wild representative. Another, perhaps the cardinal distinction, is that among game animals there is no difference in fur or plumage between different individuals of the same species; and this, of course, it is which, by destroying the power of identification, weakens the idea of property as applied to game.

Some sentences back we referred to the price of rabbits, and this leads us to say a few words on the value of game as food for the people. Unfortunately there are no means of ascertaining the amount of game annually consumed in the United Kingdom, at least by direct statistics, but there are some indirect methods of approaching at the truth.

The number of game certificates taken out annually may be put at 50,000.* If each of these sportsmen shoots on twenty days, that is, less than once a week during the season, and kills ten head each day, we shall have as the result a total bag of 200 each, which, multiplied by 50,000, gives ten million head of game of some sort or other,

* We have, however, the opinion of an eminent salesman in Leadenhall Market, that while all other descriptions of game have vastly increased, the supply of English rabbits has decreased.

* The Commissioners of Inland Revenue in their Report of 1870, vol. i. p. 66, express themselves thus:—'We regret to say that the evasion of this duty (game licences) is very general, even among those who, from their station in life, should be the first to discountenance such a violation of the law.'

exclusive of rabbits. Taking partridges at 16 ounces each, grouse at 24, pheasants at 32, and hares at 64 ounces, and assuming an equal number to be killed of each kind, which from some returns we have received we believe to be nearly accurate, we get an average weight of 2 lbs. This gives 20 million pounds weight of meat, all consumed in the winter half of the year. To this may safely be added half as much more for rabbits, native and imported, and for deer, giving roundly 14,000 tons added to the meat supply of the country, or, expressed in mutton, an equivalent to some 400,000 sheep. Try these figures by another calculation. There are about 5,000 gamekeepers in the United Kingdom. If we take 1,000 head as the average amount of game killed under the charge of each man, we shall get a total of 5 millions. And assuming a like quantity killed by farmers, poachers, and others, without the superintending care of a gamekeeper, we shall still get 10 million head of game, exclusive of rabbits and deer, as the annual result of the labours of the British sportsmen.* There can, we think, be no doubt that such enormous quantities have an appreciable effect on the price of beef and mutton during the winter season.

There is another question to which the preamble of Mr. Taylor's Bill refers—the demoralization of the people, tempted by the existence of game to break the law. This is a new version of Proudhon's celebrated maxim, 'La Proprieté c'est le Vol.' No doubt all property, and particularly all exposed property, is a temptation to the dishonest. Sheep on a Highland mountain are a temptation to our needier fellow countrymen,—do away with sheep. I covet an umbrella in my neighbour's hall,—let him not carry an umbrella. Pockets containing handkerchiefs are liable to be picked,—do away with pockets, nay, with handkerchiefs. Charles Buller is reported to have said, with reference to poaching, that we have no right to hang silver spoons on trees, and then prosecute those who take them. But if silver spoons *grew* on certain trees, surely Charles Buller would not have thought it necessary in the interests of public morality to cut down the grove which bore such Sibylline fruitage. Moreover, the 'silver spoons' which a poacher is in search of have sharp ears and active instincts, do their best to conceal themselves, and in the most marvellous way avoid notice. All poaching, to be successful, involves a considerable amount of labour and study, knowledge of the habits of animals, and keen observing powers; so that the analogy is very imperfect, and the argument drawn from it correspondingly feeble. In fact almost all the strength it possesses is derived from the state of the law. We tell the poacher that the 'silver spoons' belong to no man, but that anyone caught trespassing in pursuit of them shall be punished, not for the taking, actual or attempted, but for the trespass; not for appropriating what belongs to another, but for doing an act which may prevent some one else from appropriating it in a certain way; that is, for spoiling the sport of the privileged sportsman.

There have been some interesting reports presented to Parliament, from our diplomatic agents and colonial authorities, as to the state of the law of game and trespass in foreign countries and in our Colonies. But the relation between landlord and tenant abroad is so different from that which exists at home, there are so many small proprietors, and so limited a class resembling our large tenant-farmers, that it does not appear easy to derive any practical lessons from the usages of foreign countries. It is, however, noticeable that in several of our Colonial possessions very stringent Acts have been enacted for the preservation both of native and of imported game, while in some instances, like that of Bermuda, the law protects creatures not usually regarded as game, and provides for the extirpation of others. We may also observe that in some of our Colonies a strict law of trespass is in force, affecting not men only but animals. For example, in Prince Edward Island there is a provision for 'taking up' any boar pig found at large, a species of arrest not known in the mother country; while in New South Wales any owner of a wandering pig pays two shillings fine for every trespass, the owner of a sheep paying only one penny. The motives, however, to which most of these enactments owe their existence are so different from those which have led to our Game Laws, that we can hardly compare the practice of the Colonies with our own. It remains, then, for us to consider some other proposals for the amendment of those laws, and to urge a few practical conclusions upon the attention of our readers.

The general election of 1868 was remarkable on the northern side of the Tweed for the strong feeling expressed on two questions—the Law of Hypothec and the Game Laws. On both these questions this feeling was expressed by the same body of men

* The North-Western Railway alone is said on good authority to have carried to London 2,000 boxes of game each day for the first week of this season, August 12–19, *as presents*, besides 200 larger boxes to the markets.

the tenant-farmers of Scotland. Its results were most apparent. In almost every County election these questions were paramount, in several they were decisive. In Perthshire, for instance, at the last moment in the face of a phalanx of landowners, a stranger who had not even the advantage of being a Scotchman, offered himself to the constituency and this in opposition to a man who had long represented the County, and who was known as a literary celebrity and a resident landowner. The odds were all in favour of Sir William Stirling Maxwell, but his opponent was returned by a majority of nearly 200. It is natural, therefore, that attempts should be made by Scotch Members to make some alteration in a law the unpopularity of which is so manifest. Accordingly we find in the last two Sessions no less than three Game Bills proceeding from Scotch sources, together with one bearing the name of the Lord Advocate as well as of the Home Secretary, and apparently intended to assimilate in some respects the law of Scotland to that of England.

We do not propose to go minutely into the provisions of these bills, but we may observe that they all show the feeling of their authors to be directed mainly, if not exclusively, against four-footed game.* This we believe to be the case generally in the country at large. In one of these bills, however—that of Mr. Loch—there is a provision introduced, against the principle involved in which we feel bound to make the very strongest protest. This provision is, that no verbal or written agreement shall be binding between landlord and tenant which proposes to divest the tenant of his power to kill hares and rabbits on his farm. In other words, it abolishes free contract between landlord and tenant, assuming, of course, that the tenant is so far from being a free agent as to require this extraordinary protection. Be it remembered that this interference of the law is to act in such a way as to affect the landlord only. The tenant would still be able to enter into any contract with a third person to preserve hares or rabbits, a contract binding upon the tenant just as if this proposed law had never passed; so that he could make use of the law to let the right of sport *quâ* hares and rabbits to any person in the world except the person who would naturally care for it most, the owner of the soil. And this power would make the law inoperative, for the landlord would, of course, take care when letting his land to A to see that A let the right of killing hares and rabbits to B, who would let it back again to the landlord, thereby binding the tenant not to kill hares and rabbits as effectually as if the law had never existed. But, although there would be a means of driving the usual coach and six through this clause, still the principle involved in it is not the less most objectionable. There may be cases, like that of Irish land tenure, where a strong political necessity exists for interferences such as those sanctioned in 1870. No one, however, can urge any similar necessity in this case; and surely the present moment when tenant-farmers have shown their independence more forcibly than at any past time; when, on this very question of the Game Laws, they have fought and won county contests in a manner wholly unprecedented; when landlords are year by year showing a greater desire to yield to the expressed, if reasonable, desires of their tenants;—the present moment, we say, is of all moments to choose for the assertion of such a principle the most inopportune and inexpedient. When the one side is growing year by year stronger, and the other side year by year more reasonable, it cannot be necessary to interfere for the benefit of the stronger side in a way not asked for when the reciprocal relations were very different—tenants weaker and landlords more arbitrary.

We trust, then, that no enactment containing a clause of this nature will ever become law. Our Scotch farmers and graziers are men of such shrewd intelligence that we cannot help suspecting that some at least among them have become alive to what we believe to be a fact, that the amount of game now sent into the market has a sensible effect on the price of butcher's meat.* But we can hardly imagine that they would humble themselves so far as to clamour for a provision which, if it became operative, would proclaim to the world that they were the only farm tenants, out of Ireland, incapable of making a bargain without the special protection of a most arbitrary law.

The proposal, common to two other bills,† that hares and rabbits should be expunged from the game list, deserves more attention. It has the advantage of meeting the wishes of many landlords and of many tenants. It is directed against two kinds of game about which it is most certain that they do hardly any good, while in many cases they do much harm. Pheasants and partridges are, at all

* In Scotland the only bird of bad name for destructive propensities is the wood-pigeon, not a bird of game at all.

* Our Leadenhall informant expresses an opinion that the amount has increased twenty-fold the last thirty years.

† Sir Selwin Ibbetson's and Mr. M'Lagan's.

events, partially insectivorous, but no one ever yet saw a hare eating a wire-worm. At the same time we must remember that there is practically no law of trespass in this country, except as connected with damage to property or with pursuit of game. Expunge hares and rabbits from the list of game, and you make it proportionably more difficult to preserve partridges and pheasants. There is one very destructive kind of poaching of which little account is taken, but which we are sorry to say many game preservers encourage —the taking of eggs. It requires neither gun nor snares, so that the egg-poacher has the advantage, if searched, of being able to appeal to empty pockets. If hares and rabbits are no longer game, the egg-poacher will fill his pockets with snares, and allege that hares, or at least leverets and rabbits, are the objects of his search.* And generally it will afford opportunities and excuses for trespass very much adding to the annoyances of occupiers and the labours of game-keepers. So far as the latter class is concerned, it will be said this is all as it should be, but if game-preservation is to be abolished, let it be by direct and not by indirect methods.

The Game Bill of the two Home Secretaries of Scotland and England appears to have had for its object the assimilation of the law of Scotland to that of England in one particular. In England, where there is no express reservation by the lessor, the right of sporting devolves upon the lessee. In Scotland it is the reverse. The Lord Advocate, no doubt, dreaded the outcry which Scotch landlords would have raised if he had followed the English law to the extreme. He therefore proposed, in default of any agreement to the contrary, to hand over the sole right to kill hares and rabbits to the tenant, leaving all other game rights to the landlord. The bill also contained clauses on the subject of compensation for damage done by game.

There is one remark which applies to all these proposals, come from whatever quarter they may, and it is this, that in no one of them is the least notice taken of that which we consider far the most important—the criminal side of the question. It is all very well to make things easy between landlord and tenant; to provide, if it may be so, that the one shall have his sport, and the other his profit. But the question how far the preservation of game affects the morals of the community, and how much or how little this depends on the form which game laws take, does not appear to have entered for one moment into the consideration of the gentlemen whose names appear at the backs of these bills. And yet this, after all, is the most important feature of the case. It is not only the 10,000 convictions a year which are important, but the fact that these 10,000 convictions are all under a set of statutes which create crimes. So far as the act itself is concerned for which a poacher is punished, it is exactly the act the performance of which gives to the sportsman all his enjoyment. The law says in effect as follows:—There is a certain class of creatures which it is pleasant to pursue, to slay, and to eat. They belong to no man, they cannot be identified, and except when in captivity they cannot be stolen. They live indiscriminately on the lands or crops of A, B, C, and all the other letters of the alphabet. But if you, the poacher, trespass on these lands, presumably for the purpose of pursuing and killing these creatures, you shall be punished —not for the trespass, for you may go on these lands with impunity, not pursuing these creatures—not for the taking, considered as an act of dishonesty, for they belong to no man, but for doing an act which interferes with the gratification of a privileged class to which you do not belong. What is, what must be, in the mind of any man who reflects—and some reflecting men there are in all classes—if punished for poaching? It is not a crime to walk across a ploughed field, or up a hedgerow, for I have done it all my life; it is not a crime to take game, for so long as it lives it belongs to no one; it is not a crime to kill game, for that is what all the gentry round are doing; but it is a crime in the eye of the law to interfere with the sport of my betters; and for this action, which is no real crime after all, I am sent to gaol. This feeling, that to take game is not wrong, combined with love of sport and love of profit, is the cause why poaching is so rife amongst us, and the cause, moreover, why so many labourers, who would never dream of stealing their master's corn or their master's chickens, snare hares and net partridges when they have an opportunity. But the evil only begins here. Once in gaol, even among his own associates the poacher is degraded. The 'lounging classes' are by no means aware how much a labourer loses caste by having been in prison. Losing caste means losing self-respect, and this again means los-

* We have often been amused with that '*brutum fulmen*,' generally painted in large letters and nailed high on a tree, TRESPASSERS PUNISHED WITH THE UTMOST RIGOUR OF THE LAW, the utmost rigour being that the occupier may '*mollitèr manus imponere*,' and conduct the trespasser to the limits of the domain. If the words 'in search of game' qualify the notice, as they usually do *not*, the case is of course very different.

ing the strongest preventive to a course of crime. And when to this sense of degradation is added a sense of having suffered punishment unjustly, a worse combination of influences brought to bear on an unsteady character can hardly be imagined. It is easy to palliate these facts; to show, as Mr. Gerald Sturt did in his very clever speech last year, that conciliation and popular manners go a long way towards making game-preserving easy; but the evil and the wrong remain, deep down, rankling, not to be salved over by any palliative treatment. And so they ever will, while the law remains as it is. How, then, is it to be altered; and, if altered, what effect will ensue? Before going into this question, we might, if we chose, examine another of great interest and some perplexity. We might inquire how far, and under what limitations, a change in the law affects what may be called the practical conscience of those who come under it; to what extent, in fact, the *malum prohibitum* comes to be considered as *malum in se;* and whether the nature of the punishment influences opinion as to the heinousness of the crime. We might ask, for example, whether sheep-stealing, or shop-lifting, or forgery, were held to be greater crimes by the classes whose peculiar temptation they were fifty years ago when they were punished with death, than now-a-days when they are punished by imprisonment. And we might look at the question a little sideways, and ask whether acts really dishonest, which are punishable on account of some other quality attaching to them, would not be more generally acknowledged as criminal if the dishonesty of the act were looked upon by the law as constituting the essence of the crime. But we must confine ourselves to the crime of poaching. The essence of that crime, as viewed by the law, is the going upon another man's land with a special purpose—the pursuit of game. Now, first of all, the labourer who without let or hindrance, and in pursuance of his ordinary occupation, is constantly going on another man's land, has no clear and definite notion of trespass. He feels that he may go about pretty much as he likes up and down the hedgerows in his parish; he has probably worked for most of the farmers in succession, and it is a hopeless endeavour to persuade him that to wander about fields which he has known and walked over all his life is a crime. Then as to the other element—the taking. The labourer has heard all round him that game belongs to no one in particular; how then can we expect him to look upon the act of taking as a crime? He understands as distinctly as he understands anything, that taking game is not stealing. But it is an act of taking, and how can an act of taking that is not stealing be dishonest? Now the trespass and the taking, or trying to take, make up the crime; and the two constituent elements being white with harmlessness, how can the result be black with guilt? We say then again, that it is destructive of public morality, and confounds all moral distinctions, to allow poaching as such to continue in the list of crimes. Let us look the matter boldly in the face. Let us say plainly that a man who takes game on the land of another, and against his will, commits an act of theft. In one word, let us make game Property.

And why should not game be made property? So far as we can see, there is only one reason which commends itself to common sense, and that is the difficulty of identification. Reasons which have to do with the technical distinction between real and personal property, and which involve such considerations as that 'savouring of the realty' it cannot be made the subject of larceny,* are mere statements of the law, and ought not to weigh for one moment against the claims of right and justice. But this question of identification is a real difficulty, we might say *the* real difficulty of the case. Observe, however, that the same difficulty exists in other cases. Oysters are stolen from the bed—no man can identify an oyster, though he can swear very positively that it is like the oysters of a particular laying. Corn is stolen out of a barn—the owner prosecutes, and gives evidence. He does not identify; he simply says the corn found in the prisoner's possession is like his; the jury decide on the evidence. In these cases, however, there is an approach to identification; but in many cases, in the stealing, for example, of old iron, lead from roofs, and money from the pocket, there is or may be none, and yet convictions ensue. Still, almost always, the prosecutor is able to say that he has lost something. In a prosecution where game is concerned, this would

* 'Wild animals, while living, though they are, according to Lord Holt, the property of the owner of the soil on which they are living, are not his personal chattels, so as to be the subject of larceny. They partake while living of the quality of the soil, and are, like growing fruit, considered as part of the realty. Until the recent statute (24 & 25 Vict. c. 96, § 36) if a man entered my orchard and gathered the apples from my trees *he was not guilty of larceny*, though he certainly possessed himself of my property, and the same principles are applicable to wild animals.' (*Judgment of Lord Cranworth in Blades* v. *Higgs, House of Lords' Report*, vol. xi. p. 636.)

often not be possible. At the same time, we may shortly say that there is no reason arising from the impossibility of identification, so strong as to prevent game from being reasonably considered as property.* But, if property, whose should it be? Following the analogy of the Scotch law, which gives the right of sport to the landlord, we should adjudge it to be the landlord's; but following the analogy of English law, to which, in the case of hares and rabbits, the Lord Advocate desires to assimilate the law of Scotland, we should make it the property of the occupier of the soil. It is, in fact, part of the crop, it is nourished on the land; if it do harm it injures the occupier, the occupier's it should be. As the law now stands, an owner who reserves the right of sporting, whether to hold or to let to a game tenant, pays no rates on the game rent. But if he lets the land, not reserving the right of sporting, the tenant pays rates on the whole rent, and if *he* underlets the right of sporting, he does not escape that liability. The result of course is that, if the landlord reserves the right of sport, that proportion of the rates which would be chargeable on the game rent is paid by the other ratepayers, to his benefit; but if game, not the mere right of sport, were made the property of the occupier, it would be in all cases chargeable, as it in all fairness ought to be, with a rate proportionate to its rental value.

The question of game damage, too, might be very much simplified by making game the property of the occupier. We believe that we are not wrong in asserting that, as a rule, resident landowners do not preserve game to an injurious extent. They usually retain the coverts in their own hands, and no landowner who values his woods will allow an undue quantity of hares and rabbits, which, after all, are the *real* enemies of the farmer. As a rule small owners, not having extent enough to make it worth their while to preserve, let the right of sport with the land. The case where game damage arises is most commonly the case where the non-resident owner lets the right of sporting to a stranger. The game tenant has only one object, that of keeping up as large a head of game as possible; he cares nothing for injury done to woods or crops. If however the game belonged in the first instance to the occupier, in any agreement between him and his landlord they would have to agree on a definite sum to be deducted from the rent of the farm in respect of the game; and any intending tenant who did not then take into consideration whether the game was to be handed over to a stranger or not, would only have himself to blame. A change in the law too would give opportunities for devising a cheap and satisfactory method of assessing game damages, and perhaps might supply some means of meeting that very difficult question, how A is to be compensated for damage done by game coming presumably from the lands of B, in some cases even where B is *not next neighbour*.

Game being thus made property, to take game would be to steal it, and poaching would be simply thieving. Game certificates ought then to be abolished, but not game licences; and the list of game might be extended to other animals not now considered as game. In criminal indictments, the game would be laid as the property of the person on whose occupation it was reduced into possession or found in possession. If the game-stealer—no longer poacher—were taken on a high-road, it might be laid as the property of the road-trustees, the neighbouring occupier, or the parish. The prisoner would have to prove that it was honestly his, or, failing that, his guilt or innocence would be left to a jury.

We cannot help believing that this change in the law would very soon be followed by a change in the public opinion of what may be called the poaching classes. If the man who took chickens and the man who took partridges were visited by a similar punishment before the same bench, or at the same assizes, it would soon be felt that the feudal element in the preservation of game and the free-booting element in its illegal appropriation had disappeared, and that there was left on the one side nothing but a prosaic desire to protect property, and on the other simply the vulgar dishonesty of an ordinary theft. It is true the love of sport will always remain, making a distinction between the taking of game and the taking of chickens; but, after all, this love of sport is far more generally gratified by the battues and driving parties of the present day, with the numerous beaters, walkers, and attendants which they involve, than it was in the times of a single-barrel Joe Manton and a brace of pointers. The Norfolk jacket and knickerbockers do not differ more from the swallow-

* A curious case occurred two or three years since, tried before Mr. Hawkins, Q.C., acting for the Judge of Assize, in which a game-dealer was prosecuted for receiving pheasants knowing them to be stolen. It was proved that they had been taken out of a mew, and were consequently, as the law now stands, the *property* of the prosecutor. The defence was, that the game-dealer had been in the habit of receiving *poached* pheasants from the same man who brought him these, and that he accordingly took it for granted that these were wild birds, and as such not capable of being stolen. The defence was successful.

tailed coat and cumbrous gaiters of the old 'Green Man' than do the habits and customs of the sport of our days from the habits and customs of the same sport in the days of our grandfathers. The fox-hound of a century ago, for example, was a slow, deep-voiced, plodding dog with a very delicate nose, following the scent of a fox up to his kennel, hunting him off it, and spending half a morning in killing or losing him. This creature was no more like a modern fox-hound with his dash and fire and immense speed than a spinning jenny is like a power-loom. But in all matters where powder and shot is concerned, everything is changed.

The single barrel flint lock, which missed fire every other time in a damp day, and was so slow that, according to the old phrase, the sportsman had to begin pulling the trigger before he put the gun to his shoulder; the stubble eight inches high, and well overgrown with weeds in those protectionist days, where partridges lay till they were walked up, always the brown bird, never the red-legged variety; the small inclosures surrounded by broad hedgerows, and just suited to the pace of a steady old pointer, who ransacked every corner at a trot, and retrieved his birds; the sportsmen, two at most, satisfied with their ten brace, overjoyed at fifteen, and thinking twenty pleasant but wrong; the same pair engaged in covert-shooting, such as we see it in Stubbs's pictures, with a brace of long-haired, silky-eared, short-legged, nervously hunting spaniels, questing and questing for the sly old cock pheasant whom they followed from one tangle of brambles and underwood to another, till they forced him to spring like a rocket into the air and risk his life in an attempt to escape from persistent persecution; these same spaniels good at flushing the occasional woodcock, followed by cunning noses from his morning feeding ground, full of springs and soft 'boring' places, to the warm dry retreat under some holly or birch, where he spent his days till flight time;—all these are gone; and we have in their places, central-fire breech-loaders; mown, almost shorn, stubbles; large fields; cut down hedgerows; partridges driven into the turnips, and then walked up by four or six gunners with as many beaters; in the place of pointers a contingent of big black retrievers, large enough to swallow whole the birds they bring so carefully; or later in the season, the driven partridge, giving those splendid rocketing shots which all good sportsmen enjoy, and inferior only to the driven grouse crossing a long Yorkshire moor in swarms with the speed of a six-pounder, or driven black-cock, flying faster, and seeming to fly slower, than any bird of game; and the covert-shooting, which is a holiday for half the village, from the nation al (we beg pardon, voluntary) school-girl who 'taps' at the corner to keep back the hares and pheasants, upwards through all grades of beaters and 'stops' to the tenants who look on, and the young gentlemen 'at private tutor' at the vicarage, each attaching himself to a gunner, and keeping the score; the luncheon in the gamekeeper's cottage, sometimes partaken of by certain dainty red petticoats and looped-up skirts;—but many of our readers know the picture, or can paint it for themselves, not perhaps in the style of certain daily and weekly prints which strain at a battue and swallow a battle.

We repeat that the customs of modern sport are more sociable than those of our forefathers. That it is more cruel to kill two hundred pheasants in a day than two we utterly deny, and if we desire to mini, mise terror and anxiety for timid creature s surely the way to do so is to concentrate the *chasse* in two or three days rather than to diffuse it over half a season.

We have been drawn away from the purpose and scope of this article by retrospects too pleasant to be altogether passed by, and we shall be accused of partiality in our descriptions. It may be that we are partial, but what we desire is to provide as far as legislation can secure it, that recreations particularly English may still be followed, contributing, as we are sure they do, to the formation of an active, energetic, and so to speak, athletic national character, and that in these recreations the tired lawyer, the busy merchant, the belated and exhausted politician may gain, as he has done in past times, refreshment, relaxation, health, and life, with no alloy of regret introduced by the consideration that his sport is obtained at the risk of moral or social degradation for others.

There are many ramifications of this question of Game and Game Laws into which our limits forbid us to enter; but we trust we have said enough to impress on the attention of our readers two facts: first, that the present system requires reform, and secondly, that any reform ought to begin with an attempt to abolish all notions of feudality and privilege with reference to game.

ART. V.—*Correspondence between the Governor of the Cape Colony and the President of the Orange Free States, relative*

to the disputed Ownership of the Diamond Field Territory, presented to the Cape House of Assembly, 1870–1.

The recent discovery of diamond fields in South Africa has attracted an unusual amount of attention to that distant region of the world. Nor indeed has the interest awakened in the British mind been alone created by the fact of the probable enrichment of a British colony and the development of the resources of a country in which British power has long been predominant. Other ingredients have not been wanting to sustain the excitement, and the claims advanced by the South African Republic to the territory which has been proved to contain so fertile a source of wealth, have rendered possible, if not probable, complications which can only be understood by those who are content to judge of the condition of the present and the prospects of the future by a careful study of the history of the past. Inasmuch, moreover, as that history will be found to throw some light upon the larger question of the relations existing between this country and her colonies, and the policy which has from time to time guided Great Britain in her conduct towards her distant dependencies, it will be found to possess a general as well as a special interest.

In order to arrive at a clear understanding of the position which we occupy with regard to the South African diamond fields, it will be necessary briefly to review the history of our possessions in that quarter of the globe, and to point out the course of policy which has brought about the present state of affairs; nor is it improbable that the judgment which may be passed upon it by the impartial critic will be found equally applicable to proceedings in other colonies and under somewhat different circumstances. It is unnecessary to weary the reader by a recital of the early history of the Cape, before and after its final acquisition by England in 1806; and indeed for our present purposes it is enough to start from the well-known emigration of the Boers in 1835 and 1836, which took place principally in consequence of the abolition of slavery, and the disputes upon the question of the compensation to be paid to those who had been sufferers by that measure. Nor is it essential to follow the story of that emigration in detail, but simply to point out that from those Dutch colonists who were engaged in it has sprung the race of Boers who are now the occupants of the Orange Free State and Trans Vaal Republics.

A party of emigrant Boers first endeavoured to establish themselves in Natal, and having been driven thence, fell back upon the large tract of country between the Orange and Vaal rivers, which was at that time thinly populated and afforded rich pasturage for their flocks. The ancient bushmen inhabitants of this country had been gradually dying out for many years past, and at the period of the Boer emigration the greater part of the land was in the undisputed possession of various native tribes, of whom the Korannas and the Basutos, under the rule of their great chief Moshesh, were among the principal, while much land was held by the Griquas, the illegitimate offspring of the white and coloured inhabitants of the colony, who, having adopted this name in place of their first and less euphonious title of 'Bastards,' had been gradually growing in numbers and importance, and had settled to the east of the confluence of the Orange and Vaal rivers, in some of the most fertile territory of South Africa. It was in the neighbourhood of these people, near to the Orange and Caledon rivers, that the emigrant Boers first established themselves, acknowledging the right of Moshesh and of the Griquas to the land, and taking leases of the same, for which they paid rent to the Griquas, although Moshesh demanded none, being satisfied with the protection afforded by their presence.

This satisfaction, however, was not of long continuance. The 'innatus amor habendi' (especially where land was concerned) was strong in the Boer nature, and they appear to have become speedily impressed with the idea that they had as good a right to the country as its earlier occupants. The latter, meanwhile, viewed with jealousy the encroachments of the new comers, whose industrious habits and consequent increase of prosperity gradually created a power which rivalled that of their own chiefs, and could hardly be viewed by the latter without apprehension. If, however, the Boers were encroaching, the native tribes were not blameless in their attitude towards their neighbours, against whose flocks and herds they carried on a system of perpetual depredations, which must have been vexatious and irritating in the extreme to the hard-working farmers.

But the Boers had not succeeded in escaping from the reach of the long arm of the British Government by their migration from the Cape. The history of the Orange River Territory during the years 1842–47 inclusive records not only a perpetual strife between the Boers and the native tribes, but also constant attempts on the part of the former to establish themselves independently of the British Government. Their principal leader was Andries Pretorius, under whom they had formed a political organization as early

as 1842, and to whom they were said to have taken an oath of allegiance as President of their republic. The three individuals who mainly opposed the pretensions of the Boers during this period were Moshesh, chief of the Basutus, Waterboer, chief of those Griquas who occupied the country near the confluence of the Vaal and Orange rivers, and Adam Kok, chief of the Griquas in the district of Philipolis, so called from a missionary station which had been founded by Dr. Philip in 1825. Of Moshesh we shall presently have more to say, but it is with the other two that our diamond-field history is most concerned. Waterboer had frequently rendered important services to the Colonial Government in protecting the northern frontier from the depredations of the uncivilized tribes beyond, and had thus proved himself a valuable ally to the cause of order and good government. His power had originally sprung from disputes among the Griquas under Adam Kok, which resulted in the establishment of a separate government under each chieftain in 1834.

The country of these two Griqua chiefs being continually threatened by the Boers, the British Government interfered for its protection, and after many futile attempts to arrange matters peaceably, British troops were employed against the Boers in 1845, and treaties were entered into with the native tribes. It was under these circumstances, and whilst the country was in a most unsettled state, that Andries Pretorius made an attempt to set matters right between the British Government and the malcontent Boers with whom his influence was paramount. With the intention of laying their case before Sir H. Pottinger, he journeyed to Graham's Town, and sought an interview with that officer, who was then Governor of the Cape. Unfortunately, Sir Henry refused him an audience upon a technical objection, which, however valid, was impolitic in the extreme, and produced consequences which might have been avoided by more conciliatory action. Almost immediately afterwards, Sir Harry Smith came out from England as Sir Henry Pottinger's successor, and it is from this epoch that the history of the Orange River Territory becomes more interesting to English readers.

Sir Harry Smith's course of action has frequently been blamed as precipitate, and his mode of procedure condemned as productive of the troubles and complications which have subsequently occurrred. Whilst, however, such condemnation is intelligible when proceeding from those who consider colonies as a burden, acquisitions of territory as a misfortune, and a policy of abandonment, wherever abandonment is possible, to be the only wise policy on the part of a mother country, it is not so easy to understand how Sir H. Smith can be blamed by those who take a different and higher view of colonial policy. Sir Harry found, close to the borders of the Cape Colony, a large tract of country, partly occupied by native tribes in alliance with England, partly by emigrant Boers, subjects of the Queen, of whom many were loyally disposed and many more probably only disloyal from the force of circumstances rather than from any inherent hostility to British rule. The one thing wanted for the pacification and prosperity of the country was the establishment of a fixed and settled form of government, and to obtain this result no other course appeared feasible save the annexation of the country and the proclamation of British sovereignty. In the precise manner and the moment of taking this course Sir H. Smith may have erred, but a calm retrospection will convince the impartial critic that no other course could have afforded to the people of the territory in question so fair a prospect of future tranquillity and good government.

In the interests therefore of the inhabitants of the district themselves, in the interests of the Cape Colony (to which the tranquillity of their neighbours was of vital moment), and in the interests of England, if she intended to preserve her connexion with her colonies and share their good or evil fortune, annexation appeared to be desirable. Accordingly, having determined on this course, on the 3d of February, 1848, Sir Harry Smith proclaimed the Queen's authority 'over the territories north of the Great Orange River, including the countries of Moshesh, Moroko, Moletsani, Sinkonayala, Adam Kok, Gert Taaybosch, and of other minor chiefs, so far north as to the Vaal River, and east to the Drakensberg or Quathlamba Mountains;' and in March, 1851, the Queen, by letters patent under the Great Seal, annexed these territories to the Government of the Cape of Good Hope, and gave to them the name of the Orange River Territory. Thus, then, the whole of the territory in which the diamond fields have now been discovered, was formally brought into the possession of the British Crown; and there can be but little doubt that had a judicious policy of conciliation and good management been pursued, any temporary discontent would long since have passed away, the whole country would have settled down quietly under British government, and the recent discoveries of diamond fields would have been regarded by us at the present moment with unalloyed satisfaction, as an

unexpected but welcome development of the resources of a British colony.

According to Sir Harry Smith's proclamation, all the native chiefs within the annexed territory were to be under the sovereignty of the Queen, while their authority over their own tribes was to be maintained according to their customs and usages. All her Majesty's subjects were to be governed by the laws of the Cape, and were to pay an annual quit-rent for their lands to Government, which quit-rents would be first applied in indemnifying the native chiefs, and then in defraying the expenses of their own government. Major Warden was appointed British resident magistrate at Bloem Fontein, and, under him, a civil commissioner and magistrate, combined in one person, was to be stationed at Wenberg, and another on the Caledon River. A land commission was also formed, who, among other things, were to register each farm, and fix the amount of quit-rent according to the value of the land.

These proceedings were all approved by Lord Grey, then Secretary of the Colonies. Now, however, began to be seen the ill effects of the offence given by Sir H. Pottinger to Pretorius. The partisans of the latter refused obedience to Sir H. Smith's proclamation; and Major Warden was stopped by a party of armed Boers within a few miles of Bloem Fontein, and narrowly escaped being captured by them. Pretorius issued a proclamation declaring that the Boers would not submit to British authority, and warning those emigrants who would not join him that they must quit the country, and that neutrals would be treated as enemies. Waterboer, Adam Kok, and Moshesh remained firm and faithful in support of the British Government. In August 1848, Sir Harry Smith arrived with troops at Colesberg; and in answer to communications from the rebels, declared that the proclamation would be maintained; that four-fifths of the people were in favour of British sovereignty, and had merely been intimidated by the violence of Pretorius; and that most of the latter's followers were strangers and persons ruined in circumstances. On the 29th August a severe engagement was fought at Boemplats, which resulted in the total defeat of Pretorius; and in the following month Sir H. Smith proclaimed the inclusion of the Vaal River district under British sovereignty. Pretorius was outlawed. Fines were levied upon those who had taken part in the rebellion; the Governor was satisfied that the Dutch farmers would gradually settle down, and the general appearance of affairs was for a time satisfactory.

Unfortunately, however, this was of no long duration. The great Basuto chief, Moshesh, had become discontented, and had quarrelled with his neighbour, Sinkonayala. In consequence of the disturbances which followed, and of several robberies having been committed by some of his tribe, Major Warden called out a patrol of burghers for the protection of the farmers. Whether, however, from chronic discontent, or owing to the intrigues of Moshesh, the Boers responded to the call neither promptly nor in sufficient force; and in a skirmish with the Basutos, Major Warden gained a very equivocal advantage. The result was that the loyal Boers became lukewarm and unwilling to offend their neighbours by rendering assistance to the government, and the disaffection appeared to gain strength daily. It is true that Moshesh disclaimed hostility towards the British Government, but the result of his intrigues with the Boers (hereafter to be visited with heavy retribution) was to greatly increase the difficulties of carrying on the government of the country. Wearied with the continuance of these difficulties, and the consequent expense to the Imperial exchequer, on the 15th December 1851, little more than nine months after the issue of the letters patent annexing the Orange River Territory, Lord Grey wrote a dispatch as precipitate in the direction of abandonment as any action of Sir H. Smith's in a contrary direction. He stated that 'if the inhabitants would not support the authority of the British Government, which had been established in the sovereignty solely for their advantage—but, on the contrary, desired to be relieved from it—there was *no British interest to be served by maintaining it, and that it was impossible the expense could be incurred of keeping up* a force sufficient to maintain in that distant region an authority which the great majority of the inhabitants would not obey. But that it would be necessary, in the first place, that the superiority of the British arms over those by whom they had been resisted should be established; and next, that the interests of our allies should be attended to.'

Meanwhile, during these disturbances with Moshesh, Pretorius, who had crossed the Vaal, evinced a much more wise and conciliatory spirit, refusing to join the Basuto chief, or to uphold the cause of the rebellious Boers. In consequence of this good conduct he was relieved from his outlawry, and friendly relations re-established with the Trans-Vaal Boers under his control, a convention being carried out with them in 1852 by assistant-commissioners Major Hogg and Mr. Owen, on the part of the British Government.

And now comes the most incomprehensible part of the whole history. Lord Grey quitted office, Sir John Pakington succeeded him during the short administration of Lord Derby, and was in turn replaced by the Duke of Newcastle in the autumn of 1852. In April 1852, General Cathcart having succeeded Sir Harry Smith, moved up a strong body of troops against Moshesh, and fought an action at Berea upon the 20th December in the same year, after which the Basuto chief gave in his entire submission, and acknowledged his vassalage to Her Majesty's authority. The victory having been by no means of a decisive character, this submission was readily accepted. Compensation was made to the loyal chiefs and farmers from the cattle taken from Moshesh, the troops were withdrawn, and the Governor expressed his belief, that 'whilst among the native tribes *a good understanding and peaceful relations had been restored to a degree which had not existed for many years*, all claims upon the British Government had been sufficiently compensated, all wrongs redressed; and unless wilful aggressions should take place on the part of the colonists of European origin, *a degree of security and peace might result from recent events which had not been experienced since the assumption of the sovereignty.*'

These sentiments were conveyed by the Governor in a despatch to the Duke of Newcastle, written in January 1853, in which he characterises the 'general aspect of affairs' as 'most cheering;' and the answer to that despatch, upon the 14th March, conveyed the information that her Majesty's Government had decided to withdraw from the sovereignty!

'The rude government which had hitherto existed had not answered its purpose, and there were no advantages which would compensate for the risk and expense attending its retention. Moreover, the present conjuncture was a favourable one, and the late expedition and engagement would remove any misconstruction to which the relinquishment of territory might be able to give rise.'

The determination to which Her Majesty's Government thus arrived was in effect to abandon the sovereignty of the Orange River Territory, precisely at the moment when the difficulties which had followed the assumption thereof had been nearly or entirely overcome; and when a firm hand and a wise head at the seat of government would have maintained the tranquillity of the country, and gradually welded it into one united province, which, eventually incorporating Natal and the Cape Colony with the intervening land, would have worked out that future to which even now South Africa must look for her best chance of permanent prosperity.

Unhappily, however, the considerations by which British policy was governed at the moment were not such as would permit the realisation of these ideas. What those considerations were it is beyond our province to discuss here; but they may in some degree be gathered from the debate in the House of Commons, which took place upon May 9th, 1854, upon a motion of Mr. (now Sir Charles) Adderley for an address to the Crown, praying her Majesty to reconsider the 'Order in Council for the abandonment of all sovereignty over the Orange River Territory.' Mr. Frederick Peel, speaking on behalf of Lord Aberdeen's Government, declared his regret that we had ever crossed the Orange River, asserted the hostility of the Boers to British rule, and dwelt upon the expense of the Kafir wars, and the desirability of leaving the colonists as much as possible to manage their own affairs. He stated that in consenting to annex the territory, Lord Grey had acted 'in deference to the views of Sir Harry Smith, and against his own better judgment and more far-seeing views;' and he announced that the policy of the Government was 'to conciliate the inhabitants of the colony, and to carry out the principle of non-intervention in the petty quarrels of ancient chiefs.' Sir John Pakington having taken the opportunity of declaring his own individual opinion to be in favour of abandonment, Mr. Adderley, after a gallant but ineffectual protest against the course about to be pursued, withdrew his motion, the success of which would have been hopeless against this combination of friend and foe.

Meanwhile, the despatch of the Duke of Newcastle in March, 1853, had been followed by the mission of Sir George Clerk to arrange matters in connexion with the abandonment of the Orange River Territory. On the 14th April Governor Cathcart had reported, 'I am still able to say that all is prepared for a transition *either to a state of independence or a confirmed Government under British rule;*' and in an enclosure in the same despatch, Mr. Greene, the British Resident, had referred to the alarm of Moshesh, who '*sees that if the Government withdraws from the sovereignty the natives in it must sooner or later come into collision with the Boers.*'

The proposed abandonment was received with great disfavour at the Cape. Petitions earnestly deprecating the intended step were presented by merchants and inhabitants of Cape Town, Burghersdorp, by the Presby-

tery of Swellendam, from Graham's Town, Uitenhage, Colesberg, Graaff Reinet, Port Elizabeth, and all the principal places in the colony, signed by 'the leading mercantile firms and chief inhabitants, of all professions and callings.' These petitions stated that the petitioners learned 'with very deep regret and apprehension' the course proposed to be taken; that 'the confidence reposed in the permanent protection offered by Sir Harry Smith's proclamation of 1848 for making British power supreme in the sovereignty, led to a rapid increase of its population, and to the investment of large capital in lands, buildings, stock, and merchandise, which have resulted in a considerable export of wool to England of a very superior quality, in exchange for British manufactures; while its increase and increasing trade has already become of much importance both to Great Britain and the colony;' they pointed out that 'it has ever been a prominent feature in British border policy to provide for the protection, civilisation, and moral and religious instruction of the native tribes,' and that the furtherance of these objects was incompatible with abandonment of the sovereignty; they declared that 'an extensive system of serfdom and slavery would speedily supervene;' they prophesied 'an exterminatory war of races;' and whilst they condemned the threatened policy as 'a retrograde step,' they expressed their conviction that within a very limited time it would become the duty of the British Government to recover and repossess the territory with 'tremendously increased difficulty, as well as expenditure of blood and treasure.' Sir George Clerk's own report to the Duke of Newcastle in August, 1853, states that 'among British settlers and speculators the consternation has been great, and in some instances I believe they are violent in their invective.' From this and subsequent despatches it is abundantly proved that in the Orange River Territory itself opinions were much divided upon the all-important question of the hour. There can be no doubt that a strong feeling existed on the part of the English settlers against the abandonment of the sovereignty and the withdrawal of British protection; and that there were many among the Boers who would have been well content to let matters remain as they were, especially since the recent campaign had afforded hopes of greater quiet and a cessation from native depredations. It is, however, equally true that there were many disaffected Boers, impatient of English authority and English customs, especially when the exercise of the one and the existence of the other clashed somewhat harshly with their notions as to the best manner of dealing with the native tribes. For whilst the policy of England had ever been to respect native rights and to promote native civilisation, it is to be feared that the Boers had neither that horror of slavery nor that consideration for their neighbours' rights which had been enforced upon them by successive British Governments. Doubtless, therefore, there were many who were willing enough to get rid of England; and when a British Commissioner was sent out for the purpose of carrying out that policy of abandonment which would enable them to do so, he found little difficulty in reporting the existence of a sufficiently strong anti-English feeling to enable him to present to those who sent him such a picture of the state and the opinion of the country as encouraged them to persevere in the course which they had determined to pursue.

A perusal of Sir George Clerk's despatches and enclosures will show to any unprejudiced mind that the state of the Orange River Territory at this time was just such as would have enabled a clever commissioner to make out a good case on either side. In fact, had the British Government set its face strongly against abandonment, the anti-English or 'Independence' Party would have probably disappeared within a few years, and the stability of British authority have been permanently confirmed upon a durable and satisfactory basis. As, on the contrary, the British Government desired that British authority should be withdrawn and the sovereignty abandoned, the party in the Territory which held these views was necessarily strengthened, the loyal upholders of British rule were discouraged, and, having not only no object in asserting these opinions but every inducement to conceal and abandon them, the lukewarm and doubtful men saw without difficulty the scale into which their interest dictated that their weight should be thrown; and so it came to pass that the protests and petitions of the Cape colonists and the British settlers in the Orange River Territory passed unheeded, the Dutch element was in the ascendant, and the most valuable districts of South Africa were deprived of the advantage of connexion with a strong and stable Government, and were cast off as worthless possessions, to be experimentalised upon by infant republics, and to become in all probability the battle-field upon which should be carried on the melancholy conflict of races, until the usual result of such conflicts should be arrived at by the extirpation of the unhappy natives.

Sir George Clerk performed his task with equal zeal and fidelity, and indeed it is to

him that the chief credit or discredit of the abandonment scheme must be attributed; for, in his despatch of November 14th, 1853, the Duke of Newcastle having stated that the views of Her Majesty's Government had undergone no change as to their contemplated policy, and having given vent to the sentiments invariably urged whenever such a policy has to be supported, viz., that 'the maintenance of British dominion could only be insured at *a considerable permanent cost to the mother country*, with a constant liability to expensive and protracted frontier contests,' went on to use the following remarkable words:—

'I have, therefore, to instruct you to proceed on the assumption that this line of policy is that deliberately chosen by Her Majesty's advisers. *I do not say that even these strong convictions would not yield to argument to the contrary, if urged with the force of the experience which you haveacquired.* If I understood you to be decidedly of opinion that the subject must be reopened, I should not refuse reconsideration; but I wish you to look upon this as a discretion reposed in you, only to be exercised on the fullest persuasion of its necessity.'

It is needless to say that this discretion was not exercised, and on the 30th January, 1854, the proclamation of abandonment was agreed to by Her Majesty in Council; and on the 23rd February the convention was signed between Sir George Clerk as Her Majesty's High Commissioner and certain Boers elected to represent those who were about to inaugurate the new republic.

Within little more than a year a neighbouring province, possessed by native tribes, was brought permanently under British authority upon principles apparently the very reverse and opposite of those which had actuated the British Government in this unfortunate transaction. We can hardly avoid asking the question of ourselves, 'if the policy which dictated the abandonment of the Orange River Territory is to be upheld and justified, what are we to say of the conquest and retention of British Kaffraria?' The grounds upon which the latter province was thus treated are briefly stated in a despatch from Lord John Russell to Sir George Grey, bearing date June 3rd, 1855, in words which contrast forcibly with the vacillating expressions of the Duke of Newcastle:—

'Let me in the first place declare explicitly that it is for no object of dominion or extension of territory that Great Britain wishes to maintain possession of Kaffraria. *So far as the interests of this Empire are concerned*, British Caffraria might be abandoned, and the eastern districts of the Cape Colony left unprotected, without injury to the power of the United Kingdom, *and with a considerable saving to its finances. But such considerations have not been allowed to prevail. The performance of an honourable duty to British colonists, the maintenance of a position acquired at great cost both of men and money, and lastly, views of comprehensive and vigilant humanity, induce Her Majesty's Government to take a very different course.*'

These are the words of an English statesman, and it is hardly possible to read them without a consciousness that whilst they represent feelings and opinions dear to Englishmen, and point to the ancient and time-honoured policy which has for ages been the boast and pride of England, they carry with them the severest condemnation of the policy of short-sighted and timorous economy which led to the abandonment of the Orange River Territory. British Kaffraria was retained by the British Government in 1855, and finally annexed to the Cape Colony by Sir Philip Wodehouse in 1865. By the British Government also the sovereignty of the Orange River Territory was abandoned in 1854; and we must not complain if our colonial policy should be sometimes characterised by our colonists as vacillating and uncertain.

It must not be supposed that the convention which withdrew British authority from the Orange River Territory was followed by universal quiet and contentment. Sir George Grey succeeded General Cathcart as Governor of the Cape in 1854, and the papers presented to Parliament relative to his recall and re-appointment afford ample evidence of the mischief which followed the abandonment of the sovereignty and the difficulties by which its inhabitants were surrounded. Sir George Grey offended his Home Government by recommending to the Cape Parliament that Federation of South African provinces, including the Orange State, which the colonial policy of the Home Government disapproved. Without entering into the merits of the dispute between Sir George and his accusers, it is plain enough that a strong feeling existed in favour of federation in South Africa, and it may be questioned whether the feeling will not even yet be found to have been possessed of inherent strength and vitality.

In a despatch to Sir E. Lytton, in November, 1858, Sir George referred to the abandonment as a measure 'carried out in opposition to the wishes of nearly all the wealthy and influential inhabitants of the Orange River Territory, as also in opposition to the wishes of all the European and native inhabitants of South Africa, who live with-

out the Orange River Territory.' He urged with great force that experience had shown that the views which led to the dismemberment of South Africa were mistaken ones, and he earnestly advocated the establishment of a Federal Union. The Orange Free States were at that time ready and anxious to adopt such a project, which might doubtless have been carried into effect, had the policy of the British Government permitted so desirable a course to have been taken. Unfortunately, however, the only result of the attempt was a snub to the Governor, and the opportunity of establishing a Federation was, in his opinion, 'lost for ever.' The evils, however, of which complaint had been made still continued. One of them, prominently alluded to in Sir George Grey's despatches, was the unsettled state in which boundaries had been left; and from hence we shall find that some of the present South African complications have arisen.

The wish for Federation has never entirely died out, and indeed it has advanced even further; for in spite of the reported disaffection of the Boers, by which the minds of Lord Grey and his successors were inclined to abandonment, the inhabitants have more than once attempted to rejoin the British sovereignty. So strong was this feeling, that, in his despatch of June 19th, 1863, Sir Philip Wodehouse 'thinks it necessary to acquaint' the Duke of Newcastle that 'for some months past an agitation has been in progress in the Orange Free State with a view to the re-annexation in some shape of that territory to the British possessions in this quarter. Latterly public meetings have been held at various places, at which resolutions in favour of such a measure have been carried either unanimously or by large majorities; and I have every reason to believe that before long I shall receive some communication on the subject from the existing Government of the Republic.' To this despatch, in which the Governor asked for instructions, in the event of his receiving such a communication, the Duke of Newcastle replied that he was to 'be careful to take no course and to hold no language which would have the effect of encouraging a movement in favour of re-annexation;' and the cold water thrown upon the attempt seems to have checked its growth. It may here be remarked that a memorial presented in 1868 to the Duke of Buckingham, by a 'numerous deputation of gentlemen connected with and interested in the colony of the Cape of Good Hope,' also stated that 'a general desire has been expressed in the Colony, *as in the Free State itself*, that the re-annexation of the Free State, in one form or other, as a British dependency should be accomplished.' It is evident, therefore, that before, at, and after the arrangement of 1854, there has always existed a party in the Free State favourable to British authority; and that probably even at the present moment the real interests alike of the Free State and of the Cape Colony would be best promoted by the re-establishment of the sovereignty so weakly and unwisely abandoned. A fault once committed is not, however, always susceptible of remedy, and we shall find the evil consequences of our mistaken policy throughout the whole course of subsequent events in South African history.

From the abandonment of the Orange River Territory in 1854, down to the diamond discoveries of 1867, occurred several episodes which, did time and space permit, would be found worthy of careful attention. It is, however, only possible to allude here to such portions of South African history as bear more directly upon the condition of that part of the country in which the diamond fields are situate, and upon the proceedings of those who have claimed territorial rights therein. For if, in attempting to come to a fair decision upon rival claims in 1871, we find that one claimant has during the last fifteen or twenty years been uniformly and constantly engaged in pushing forward his boundaries, and, rightfully or wrongfully, increasing his territorial possessions, a presumption may possibly be created not entirely favourable to his pretensions in the instance immediately before us; and we shall be inclined to scrutinise with greater care, and even with suspicion, his present line of procedure. And, therefore, it is well to stay for a moment in our narrative, in order to take a passing glance at the conduct of the Free State in their dealings with others of their neighbours besides those Griquas against whom is their contention at the present moment.

It has already been mentioned that the country of Moshesh, the Basuto chief, had been included in that territory over which British sovereignty was declared by Sir H. Smith's proclamation in 1848. This chief claimed to have been all along in alliance with England, and objected to the expressions used by Sir George Clerk in the convention of the 23rd February with the Free State, in which he affirmed that 'the British Government had no alliance whatever with any native tribes northward of the Orange River, save that with Adam Kok.' Sir George Clerk, however, had also stated in a despatch of the 24th January, 1854, 'The advantages are considerable in leaving matters between us and Moshesh on a footing *which does not prohibit a closer connexion here-*

after.' And, in the year 1861, we find Moshesh earnestly seeking this 'closer connexion,' and desirous that he and his people should be recognised as British subjects.

It is not difficult to account for the change which had thus come over the once mighty chief, whose deeds and character are worthy of a history to themselves, and who throughout the whole of his life had displayed a vigorous ability which should command respect. The withdrawal of British authority had resulted, as had been amply foretold, in the establishment of a chronic state of warfare between the Boers and the Basutos, in which the latter, although they are said to have been only prevented by the intervention of the British Government from destroying the former in 1857, were gradually pushed back and driven from their lands before the white men. The natives, indeed, fought at terrible disadvantage, for it must be remembered that the patriotic and economical government who withdrew from the native tribes of the Orange River Territory the protection which British policy had ever hitherto afforded to aborigines in the vicinity of British colonies, went one step further in their new course, and agreed by the convention of 1852 to the somewhat one-sided proposition that whilst arms and ammunition might be furnished to the Boers, none should be sold to the natives! What wonder, then, that little by little the native tribes receded before their encroaching neighbours.

There is something upon this point inexpressibly touching in the petition addressed by Moshesh to Sir Philip Wodehouse upon the arrival of the latter at the Cape in December 1861. After stating his case at great length, and alluding to the boundary war between his people and President Boshof of the Free State, and his consequent loss of territory in 1858, he goes on to say, 'And now, we say, can the Queen suffer her children to be attacked again *with their hands bound, while those who attack us are furnished with arms and ammunition by her Government?* I have always said we were forgotten, but for a moment. I still trust in her justice and humanity; therefore I now ask to be recognised as her subject, and that my subjects the Basutos may, on account of and through my chieftainship, be her subjects too. I ask this of her generosity, for we have nothing to offer in exchange but our gratitude and fidelity; though if it were asked, or necessary, every Basuto would willingly offer his life in her service.'

It is not quite clear whether Moshesh comprehended the full effect upon himself and his people of becoming the Queen's subjects, nor is it pretended that the native tribes had been wholly free from blame in the wars between themselves and the Free State. It cannot be doubted, moreover, that Moshesh was possessed of sufficient tact and cunning to make his cause appear the better wherever there was a possibility of his doing so; and it is certain that robberies and murders had been from time to time committed by persons belonging to the Basuto tribe. But he had assuredly just cause of complaint against the provisions of the convention by which his people had been prevented from efficient defence against the encroachments of their enemies. In those provisions there was no ambiguity. At the meeting in January 1852, between the Trans-Vaal Boers and Major Hogge and Mr. Owen, 'Her Majesty's Assistant Commissioners for the settling and adjusting the Eastern and North-eastern boundaries of the Colony and the Cape of Good Hope,' the 6th proviso ran as follows: 'It is agreed that no objection shall be made by any British authority against the emigrant Boers purchasing their supplies of ammunition in any of the British colonies and possessions in South Africa, it *being mutually understood that all trade in ammunition with the native tribes is prohibited both by the British Government and emigrant farmers on both sides the Vaal River*.' Although this article did not appear in Sir G. Clerk's Convention of 1854, it appears to have been practically enforced in the Boer-Basuto wars; and it is not to be wondered at that in conflicts carried on under such conditions Moshesh found himself somewhat overweighted.

It is impossible here to do more than give a brief review of the events which followed this application of the great Basuto chief, and it is the less necessary inasmuch as the papers which tell his story were presented to the House of Commons in 1869 and 1870, and are accessible to those who desire to make a closer study of transactions which admirably exemplify the dealings between the Boers and the natives wherever they have come into contact. It is the same story throughout. Recriminations on either side —the Boers accusing the Basutos of treachery and murder, the Basutos retaliating with charges of a similar character. In 1865, Moshesh had got so much the worst of the war that he again implored the intercession of the Governor of the Cape, complaining that all his people had fled and were 'living under the rocks, looking with anxiety for having the liberty of ploughing and sowing their fields.' He declared that the Boers offered him terms of peace so exorbitant that he could not accept them, and stated once more that he considered himself subject

to the British Government, and was 'determined the Government of the Free State will never have my country.' In fact, Mr. Brand, the President of the Free State, had addressed a letter to Moshesh, in which, after accusing his people of various atrocities, he stated that the Boers had 'only taken up arms to teach the Basutos that their thefts and other acts of hostility will no longer be tolerated,' and proceeded to offer him peace upon the condition of his 'delivering within four days a fine of 10,000 head of cattle and 5,000 horses in satisfaction of the expenses of the war, 60,000 sheep and 30,000 head of cattle by way of compensation, and submitting *to the annexation to the Free State of a considerable tract of his country.*'

Sir Philip Wodehouse having refused to interfere in the quarrel, Moshesh was obliged to submit to a further loss of territory by the treaty of Thaba Bosigo, in order to obtain peace; and early in 1866, the Governor thought it necessary to address Mr. Cardwell, then Colonial Secretary, expressing his opinion that 'by accepting their offered allegiance we should do great good, not only to the Basutos, but to all these regions,' and stating in strong terms the evils which had arisen from the abandonment of the Orange River Territory, the 'practical result' of which had been 'the establishment of an exceedingly weak Government, of which the executive head is completely under the control of the legislative body, and which has failed to acquire the respect of the native tribes.' He also pointed out the peril to which these tribes were exposed of being 'destroyed in detail by the Free State,' and declared his conviction that 'both our duty and our interest alike prescribe that we should accede to the wishes of the Basuto chiefs, whenever the state of their relations with the Free State will allow of an intervention without giving offence to that Government.' This despatch was written after a repeated entreaty from Moshesh, who, according to the report of Mr. Commissioner Burnet in December 1865, seemed 'firmly satisfied that there is no choice between the Queen's Government on the one hand, and *the utter destruction of the Basutos*, as a people, on the other.' Mr. Cardwell, however, thought it prudent to do no more than appoint a British officer to reside with Moshesh, and to act as an adviser and mediator for the settlement of disputes with his neighbours; and even this permission was disapproved of by Lord Carnarvon, who, in a despatch of July 1866, desired the Governor to abstain from such an appointment if he could do so without any breach of faith with Moshesh.

There ensued a long correspondence, Moshesh still begging to be received as a British subject, and his country to be annexed either to Natal or to the Cape, whilst the President of the Free State demanded heavy sacrifices on the part of the Basutos, whose standing crops the Boers 'vigorously destroyed,' and upon whose territory they continued to encroach. At the close of 1867, things being in no better condition, the Duke of Buckingham consented on the part of Her Majesty's Government to the reception of Moshesh and his people, and in spite of the protest of the Free State authorities, this was effected in 1868, and in the following year a convention was concluded with the Boers by which a permanent boundary was established between them and the Basutos, considerably limiting the territory of the latter, though not to the full extent demanded by their enemies. Objections have since been raised to this boundary, and the history of the whole transaction is susceptible of different opinions as to its fairness to the natives; but enough has been said to show the inclination and tendency of the Free State Boers to add to their territorial possessions, and it may be observed that their arguments in the Basuto case were very similar to those with which we shall find them urging their position against the Griquas of the diamond fields.

But if the Free State Boers were afflicted with this mania for land extension, their brethren of the South African Republic were not one whit behind them. Sir Philip Wodehouse was astonished by the appearance of a proclamation by the President of the Trans Vaal or South African Republic in June 1868, quietly announcing an extension of territory whith would give him eastward access to the sea, and a seaport in the southern part of Delagoa Bay, which was claimed by the British Government, the northern part belonging to Portugal. This proclamation also extended the territory of the republic westward to an enormous breadth, and the Governor felt bound to ask of the President explanations as to its authenticity. The President replied that he thought himself justified in issuing the said proclamation on the ground of agreements made by him with various native tribes and also by virtue of the convention of 1852. A despatch of the Duke of Buckingham, however, in November 1868, informed the Governor that Her Majesty's Government did not recognise the validity of the proclamation in question, and at the same time dealt with another question of considerable importance. Complaints had been frequently made that the Boers were in the habit of violating the anti-slavery article

in the conventions under which they had acquired their independence, and they were warned that if they did so, Great Britain would hold herself discharged from the obligation under which she had come on her part by the same conventions. It will thus be seen that when Sir Philip Wodehouse left the colony at the close of 1869, the feeling between the Boers of the two republics and their native neighbours was by no means satisfactory, nor had the Free State and South African Republics established such a character for peaceable and honest dealing as to lead us to admit their territorial claims without strict investigation. It was during the existence of such a state of things that those discoveries of diamonds took place which have lately invested the affairs of South Africa with so much additional interest.

In the early part of 1867, an English trader obtained from a Dutch farmer named Niekeck, residing in the Hope Town district of Cape Colony, a stone which upon examination turned out to be a rough diamond, weighing 21 carats and of about 500*l.* in value. Other stones were subsequently discovered, among which was that known as the 'Star of South Africa,' which was purchased in its rough state for 11,200*l.*, and which greatly raised expectations as to the diamond-producing character of the country. Many other diamonds, some of considerable value, were subsequently found, and it became evident that a new and vast source of wealth was about to be opened to the inhabitants of South Africa.

These discoveries were made in districts of considerable extent to the north of the Orange River (the northern boundary of the Cape Colony), and in that part of the country, near the confluence of the Orange and Vaal rivers, to which allusion has already been made as having been occupied by the Griquas at the time of the emigration of the Boers in 1836. Long before the discovery of diamonds, disputes as to territorial rights in this country had existed between the Griqua chief Waterboer and the Government of the Orange Free State. The former had constantly endeavoured to induce the latter to submit their differences to the arbitration of the Governor of the Cape, as Her Majesty's High Commissioner, and Sir Philip Wodehouse had expressed his readiness to arbitrate. The Free State, however, desired to limit the arbitration to the case of certain lands called the Campbell lands, on the right bank of the Vaal, whilst Waterboer also claimed other lands upon the left bank. The Griqua chief had even offered, without prejudice to his further claims, to submit to arbitration the question of right to the Campbell lands alone, and this would probably have taken place but for the departure of Sir Philip Wodehouse from the colony.

This, then, was the condition of affairs when the discovery of diamonds was first made. The opening of this new field of enterprise was speedily followed by the influx into the favoured districts of persons from all parts of South Africa, and ere long from other quarters of the globe. The Cape, Natal, the Free State, all furnished their contingents, but the enterprising 'Britishers' soon formed the majority of the diggers. Under the direction of Mr. Stafford Parker (a Cape colonist) they enrolled themselves into a 'Mutual Protection Society,' framed rules for the regulation and management of the 'settlement,' and appear to have preserved order and decency to a degree highly creditable to their character and organisation.

To these people, who believe themselves to be engaged in a legitimate undertaking, in a country which according to all appearance and by the accounts of the natives was under no civilised jurisdiction, and had been previously almost unoccupied, or very sparsely occupied and that only at times for nomadic purposes, the pretensions of the Boer authorities were not likely to be palatable. Moreover the Griquas, far from objecting to the influx of diggers, viewed their approach with pleasure, and Waterboer, who had been long desirous of coming under the protection and sovereignty of Great Britain, saw in this new phase of affairs fresh grounds of hope that his wish might be accomplished, and that the security of his territory from the land-loving Boers might thus be guaranteed. That the latter had no real or tangible authority over the diamond-field districts is tolerably well proved by their inability in any way to control the community of diggers from the very first, for, had they really possessed the power of prevention, it is hardly likely that they would have tolerated the irruption of the latter, save under stringent conditions. After the first opening of the diggings, the number of persons engaged in this pursuit had rapidly increased. In September 1870, the number of British subjects was estimated at not less than five thousand persons. In the early part of the present year this number was stated to have increased threefold, and advices from Capetown of the date of July 20th, report that 'the population now at the fields are estimated at *thirty-four thousand persons*, of whom 30,000 are Europeans.' It is evident, therefore, that the question had for some time been becoming one of daily increasing importance, as to the establish-

ment of some settled authority, and the recognition of some legitimate civilised jurisdiction.

The dispute between Waterboer and the Free State had become a matter of considerably greater moment to both parties as soon as the discovery of diamonds had converted a barren district into a valuable possession. But for this discovery, it is probable that neither Boers nor Griquas would have troubled themselves much as to the exact boundaries of the territory in question; but the complexion of affairs was now altogether changed. Accordingly, the matter was brought to a crisis in August 1870, by the appointing and holding of a conference at Novitgedacht, on the Vaal River, between the chief Waterboer and Mr. J. Brand, President of the Orange Free State. This conference, however, was productive of no satisfactory results, for Waterboer, finding that no solution of the differences between the two Governments was likely to be arrived at, withdrew, or, according to President Brand, 'abruptly retired' from the conference. The President, however, was not to be deterred by this event, but immediately proceeded to issue a proclamation which, considering all the circumstances of the case, is scarcely to be matched for its cool audacity. In this proclamation Mr. Brand announced that

> "Whereas the Executive Council (of the Free State) has given to the Griqua Captain, Nicolaas Waterboer, an opportunity to prove his alleged claims to the Campbell grounds; and whereas the Executive Council, having considered the proofs, as well on the side of the Orange Free State as on that of the said Captain, so far as the same were produced, *from which it appears that the said Captain has no rights whatsoever*, &c., &c.; and whereas it is further proved that the Campbell grounds lying to the north of the Vaal River run as follows (here follows a description of the locality), *therefore I herewith proclaim that the grounds as above described are the property of the Orange Free State*, and warn all and sundry to make no encroachments thereupon; the lines as above described will, by a Commission to be nominated by me, be beaconed off, on Thursday, 22nd September, 1870, beginning at the junction of the Harts and Vaal Rivers.'

It will be seen from the wording of the above that the authorities of the Free State, having constituted themselves judges in their own case, were prepared to take immediate steps to carry their judgment into effect, and to appropriate the disputed territory. In accordance with this resolution, President Brand followed up his proclamation by the appointment of Mr. O. J. Truter as commissioner of the diamond fields on the south side of the Vaal River.

Fortunately, however, for the interests of the Griqua chief, of the British diggers, and it would hardly be too much to say, of public morality, the government of the Cape was at this moment in the hands of a man worthy to represent the name and honour of England. It was to Lieutenant-General Hay, commander of the troops at the Cape, and temporarily administering the government in the interval between the departure of Sir Philip Wodehouse and the arrival of his successor Sir Henry Barkly, that the complaint and protest of Waterboer were addressed consequent upon the above proclamation. General Hay took prompt and decisive action. On the 15th September, as soon as he had learned from the newspapers the step which had been taken by President Brand, he addressed a despatch to the latter, calling attention to the claims of Waterboer, to his expressed desire that Her Majesty the Queen should exercise sovereignty over his country, and to the fact that as the question was about to be submitted to Her Majesty's Government, and as the ownership of the territory was doubtful, and the disputed points unsettled, it would be premature for the Government of the Free State to proceed to the planting of beacons as stated in the proclamation. After this despatch had been written, information having arrived at Capetown of the appointment of Mr. Truter and the assumption by the Free State of jurisdiction over a large number of British subjects then residing upon the diamond fields, General Hay with commendable promptitude forwarded to President Brand another despatch, setting forth the grounds upon which it appeared that at least a *primâ facie* case existed in favour of Waterboer's right of sovereignty, and stating that as the Griqua chief had always acted in a faithful and friendly manner towards Her Majesty's Government, he was entitled to their consideration, and that the claim of the Free State could not be acknowledged. Concurrently with this despatch, General Hay issued a Government notice, warning British subjects of the true state of the case, and cautioning them against committing themselves to acts of territorial aggression, which might hereafter be disallowed; and on the same day he addressed a despatch to Pretorius, President of the Trans Vaal or South African Republic, who had also advanced claims to a portion of the diamond fields, reminding him of the non-admission on the part of the British Government of the territorial rights assumed by his proclamation of 1868, and urging upon him in very strong terms

the necessity of abstaining from encroachments, without lawful and sufficient cause, upon the possessions of native tribes in friendly alliance with Her Majesty's Government.

In his letter of this date (19th September) to the President of the Free State, General Hay intimated his intention of appointing a British magistrate under the provisions of the Act 26 and 27 Vict., entitled 'An Act for the Prevention and Punishment of Offences committed by Her Majesty's Subjects in South Africa.' This Act authorized the Governor of the Cape of Good Hope to appoint a magistrate in any territories within a certain distance of the colony, 'not being within the jurisdiction of any civilized Government,' for the purpose of preventing the perpetration of crimes, and of arresting offenders against the law. Taking into consideration the state of the diamond districts, and its population of British subjects, General Hay had determined to proceed under the powers of the above-mentioned Act in the case of the diamond-field region; and accordingly on the 30th November, 1870, he proceeded to appoint Mr. John Campbell as magistrate, to act within an area of territory limited and defined as follows:—

'From Ramah, on the Orange River, in a straight line to David's Graf, near the junction of the Riel and Modder rivers, thence in a straight line to Platberg near the Vaal River, thence to the Vaal River; thence up the said river to its junction with the Vel River; thence from the said river in a straight line to the mission station above Boetsaap on the Hart River; thence in a straight line to Boetsaap; thence in a straight line to Kramer Fontein; thence in a straight line to Griqua Town, and from thence in a straight line to the junction of the Vaal and Orange rivers, and thence along the Orange River up to Ramah aforesaid.'

A glance at the map will show that this magisterial district included the greater part of the territory in dispute, and was little likely to be accepted by the Boers, with whose plans its formation directly interfered. They accordingly protested at once and energetically against General Hay's intention, which he nevertheless carried out, in accordance with the strongly expressed wish of the diggers and of Waterboer, who, after leaving the conference at Novitgedacht, had by a public notice declared his inability to exercise effective jurisdiction, and had requested the interference of the British Government to preserve peace and order.

Mr. Campbell arrived at Klipdrift on the 13th December, and was received by the diggers with a cordiality amounting to enthusiasm. Addresses were presented to him from the 'Mutual Protection Association Council Chamber,' and from a large number of diggers, assuring him of their allegiance to Queen Victoria, and of their readiness to afford him, as Her Majesty's representative, all possible support and co-operation. Mr. Campbell replied in suitable terms, and proceeded to set about the somewhat difficult task before him with an ability and discretion which fully justified his appointment. Being armed only with the general powers conferred upon him by the Act of the Imperial Parliament, he could at first do little more than infuse a spirit of moderation into the counsels of the digging community, and prevent collisions between them and the authorities of the republics.

This was by no means an easy matter, inasmuch as the Free State and Trans Vaal Governments still denied the right of Her Majesty to interfere, and claimed as their own the territory over which Mr. Campbell had been appointed to exercise jurisdiction. Although these two republics had at first advanced claims which appeared to conflict with each other, they had amicably arranged their differences after Waterboer's departure from the conference, the Free State appropriating the left, the Trans Vaal Republic the right, bank of the Vaal River. By this pleasant little arrangement, the former Government assumed to itself the diamond diggings at Pniel (then the richest discovered), whilst the latter obtained those at Hebron and Klipdrift, poor Waterboer being left out in the cold with but a comparatively small portion of territory known to be diamondiferous.

Sir Henry Barkly, who had been appointed to succeed Sir Philip Wodehouse as governor of the Cape Colony, arrived at Capetown in December 1870; and it will be well to pause at this point of our narrative in order to consider the weight to be attached to the respective claims upon the diamond territory which Sir Henry found in dispute upon his arrival in the Colony. The claims of Nicholas Waterboer may be briefly explained. He was the son of that Andreas Waterboer who had originally emigrated from the Cape Colony, and between whom and Adam Kok, as has been already stated, the Griqua sovereignty had been divided. In 1834, a formal treaty had been entered into between this chief and the British Government, in which the boundary of the Griqua territory on the Colonial side is described as from Keis on the Orange River, up the course of that river to Ramah, being the boundary claimed by Nicholas Waterboer at the present time. Andreas Waterboer died in 1852, and although Sir George Cathcart held the opinion

that the treaty, faithfully observed by that chief throughout, had been a personal one with him, yet it was eventually settled, during the governorship of Sir George Grey, that the payments made under the treaty should be continued to his son, who has remained the faithful ally of England. Nicholas Waterboer, then, himself an elected chief, rested his claims to the disputed territory upon the hereditary right of his tribe, and as the head of a Christian people of mixed blood, more advanced in civilization than other tribes, and for fifty years in friendly alliance with England, claimed the protection of the British Government against those who wished to dispossess him, and whom he alleged to be intruders upon his territory.

On the other hand, the claims of the two republics require more explanation. They partly rested upon powers supposed to have been transferred by the British Government at the time of its abdication of sovereignty in 1854, and partly upon certain more definite transactions which must be subsequently described. The first point requires little comment. So far as the claims of the two republics are based upon any proceedings to which the British Government was a party in 1852–4, they must be at once pronounced to have no validity whatever. Neither in the recognition of the Trans Vaal Boers in 1852, nor in the abandonment of sovereignty in 1854, can it be said that any boundaries were settled or admitted which in the least degree affect the question of right to the diamond-field territory.

The convention between the Trans Vaal emigrants and the British Government, represented by Major Hogge and Mr. Owen, states :—

'The Assistant Commissioners guarantee, in the fullest manner, on the part of the British Government, to the emigrant farmers beyond the Vaal River *the right to manage their own affairs and to govern themselves without any interference on the part of Her Majesty the Queen's Government* on the territory beyond the north of the Vaal River.'

Whilst another clause goes on to say,

'Should any misunderstanding hereafter arise as to the true meaning of the words "the Vaal River," this question, in so far as regards the line from the source of that river over the Drakensburg, *shall be settled and adjusted by Commissioners chosen by both parties.*'

The proclamation of 1854 simply declares that, whereas Sir Harry Smith had in 1848 proclaimed Her Majesty's sovereignty over certain territories (reciting the words of his proclamation), Her Majesty now, for herself, her heirs and successors, 'abandoned and renounced all dominion and sovereignty over those territories, which, in the letters-patent of 1851, had been designated the Orange River Territory.' In neither of these instruments is there any mention of boundaries; and it is clear enough that all which they effected or were intended to effect was the withdrawal of British authority over certain tracts of country in which, or in parts of which, the emigrant Boers had settled, the emancipation of the latter from their allegiance to the Queen, and the declaration that henceforth they might govern themselves as they pleased.

There were, however, several articles in the convention of February, 1854, signed between Sir George Clerk and the delegated representatives of the Boers in the Orange Territory, which bear upon the question now under consideration. Article 2 (to which we have already seen allusion made by Moshesh) ran as follows:—

'The British Government has no alliance whatever with any native chiefs or tribes to the northward of the Orange River, *with the exception of the Griqua chief, Captain Adam Kok;* and Her Majesty's Government has no wish or intention to enter hereafter into any treaties which *may be injurious or prejudicial to the interests of the Orange River Government.*'

Upon this article the Free State authorities relied as forbidding the British Government to interfere on behalf of the native tribes with whom they might have territorial differences subsequently to the formation of their Republic, and attention must also be directed to Article 3, in which it was declared that Her Majesty's Government intended to 'remove all restrictions preventing the Griquas from selling their lands, Adam Kok having concurred in and sanctioned measures to this effect.' It may here be observed that in this as in the Trans Vaal convention, there was a clause forbidding the Boers to 'permit slavery or trade in slaves in their territory north of the Orange River.'

It was evident, therefore, that to establish their claims to the territory of the diamond fields, the republics must look to something above and beyond the provisions of the above-quoted conventions. Accordingly, we find that the claims of the Free State Republic principally rest on the alleged sale of lands by Henry Harvey, the authorised agent of Captain Adam Kok, to numerous emigrant farmers, subjects of the Orange Free State Government, in the year 1861.

It would be wearisome to enter into all the details of these transactions, which are fully set forth in the correspondence laid before the Cape Parliament by Sir Henry

Barkly in the present year, and which will doubtless be found in the papers about to be presented to the British Parliament. They may, however, be thus briefly epitomised. The case of the Orange Free State is that Adam Kok, chief of the Griquas in the Philipolis or Eastern District, gave authority to Henry Harvey, as his agent, to sell certain lands, including those belonging to his uncle, Cornelius Kok, whose heir he was—that the Government of the Free State accordingly purchased in 1861, for the sum of 4,000*l.*, those lands adjacent to the Vaal River which are now in dispute—that due notice of such purchase was given by a proclamation in the 'Government Gazette' in October, 1862, and that everyone was warned against exchanging, purchasing, or taking possession of the said grounds. Moreover, it is stated that in 1855 Adam Kok, with the consent of Waterboer and Cornelius Kok, and at the request of the Free State, drew up and described in writing the line of boundary between the above-named two chiefs (known as the Vetburgh line), and that such description answers to the boundary now claimed by the Free State as purchasers of the lands of Cornelius Kok. And it is further alleged that within this boundary-line are many farms, occupied by Boers, the owners of which received certificates from the British Resident, Major Warden, prior to the abandonment of the sovereignty in 1854, and who are clearly subjects of the Free State.

The answer of Waterboer to these allegations may be summarised with equal brevity. It is contended by the Griqua chief that in the division of territory between his father and Adam Kok in 1838, a boundary-line was clearly laid down between East and West Griqua land—that all the grounds said to have belonged to Cornelius Kok being to the west of that line, Adam Kok never had or claimed to have any authority to dispose of them—and that Cornelius was really only a petty chief, inferior to Waterboer, and residing on sufferance in his country, which he had no power whatever to alienate. Moreover, that Adam Kok was not the heir of Cornelius Kok, and, if he was, could only have disposed of his private property, and could not have sold the country of another government—that Waterboer was no party to the Vetburgh line, that he had always protested against the claims of the Free State Government, and that the proclamations of the latter afforded no sort of proof of the validity of their title. Further, it is said that the certificates issued to the owners of farms were issued to persons living on the lands, were granted on provisional and temporary terms pending further inquiry and approval of the then High Commissioner, who had not authorised the issue, and did not subsequently sanction it.

Waterboer's case is supported by the articles of the treaty between his father and Adam Kok, which appear to define the boundary exactly as he claims it; by answers given by both these chiefs to inquiries respecting their boundaries made by the Capetown Colonial Office in 1845; by a notice of Adam Kok in 1848, warning persons who had gone into 'various districts of Campbell and Griqua lands,' that they were 'consequently' beyond his jurisdiction, and under that of Waterboer; by Adam Kok's power of attorney to Henry Harvey, in 1861, clearly referring only to lands within his own district of Philipolis; and by a notice purporting to be signed by Adam Kok on 27th May, 1863, stating that his attention having been called to a proclamation of the President of the Free State to the effect that, as heir to the late Cornelius Kok, he had sold all the rights of the said C. Kok, as well on the south as on the north side of the Vaal River, he begged distinctly to make known that those rights so sold, *were limited to the south bank of the Vaal River, and in no way referred to territory north of the Vaal River;* a letter moreover from Adam Kok in September, 1869, explicitly denies that he sold the Campbell lands to the Free State Government, or indeed that any such power to sell was given to his agents by him, and declared that his name had been 'falsely used.'

Although the Free State met these statements with an affirmation that Waterboer had been a party to the 'Vetburgh line,' and that Henry Harvey had another power of attorney from Adam Kok which clearly empowered him to sell the lands in question, it must be evident at once to a candid inquirer that the claims of the respective parties were such as might and ought fairly to be submitted to arbitration. This was the view taken by General Hay in his communications with the President of the Free State in the autumn of last year, and thereupon the latter had angrily written on 27th October:—

'Before her Majesty's Government has decided upon the Chief Waterboer's application (to be taken under British sovereignty) and the protest of the Orange Free State against it, your Excellency sides with the Chief Waterboer and against the Government of the Orange Free State, which has always endeavoured to maintain amicable relations with her Majesty's Government and the Cape Colony.'

To this General Hay returned answer on

the 12th November, in a despatch justifying the course which he had taken as necessary for the protection of British subjects, and induced by the fact of the Free State Government having constituted themselves judges in their own case to the detriment of a chief in friendly alliance with Her Majesty.

This despatch was crossed by one from President Brand of the 3rd November, reiterating the arguments of his Government, maintaining that the principle of Sir Harry Smith's proclamation in 1848 had been that all inhabitants of the Orange River Territory should remain in possession of the lands then held by them, that upon that principle land certificates had been issued to persons holding farms within the Vetburgh line, and that if the British Government were to interfere in every dispute between native chiefs and the Orange Free State, the independence granted to the latter by the convention of 1854 would become 'a delusion.'

To this despatch General Hay replied on November 18th by an exhaustive statement of the whole case, written in a dignified and temperate spirit, admirably summing up the arguments and allegations on either side, and explaining the position of the British Government with respect to the disputants.

This, then, was the state of affairs which Sir Henry Barkly found when he arrived at Capetown at the end of December, and was immediately requested to accord an interview to President Brand and Mr. Hutton on the part of the Free State, those gentlemen being 'fully convinced' that they would be able 'clearly to show that Waterboer's claim is wholly untenable.' Although it was unlikely that matters so complicated could be decided offhand and finally by a conversation between the High Commissioner and the Free State authorities, Sir Henry thought it best to accede to the request of the latter without delay. As the result of this interview, Messrs. Brand and Hutton forwarded to Sir Henry Barkly on the 12th of January last numerous documents, including the resolution of the Free State Volksraad in 1867 to acknowledge only the Vetburgh line, various land-certificates showing that Waterboer's line would cut off 'more than eighteen British land-certificate farms, and upwards of eighty farms sold by Cornelius Kok and his subjects;' and also papers purporting to prove that Cornelius Kok had been an independent chief, that Waterboer had agreed to the Vetburgh line, and that Free State Courts had since decided boundary questions within that line without their jurisdiction ever being called in question. On the receipt of this communication, Sir Henry, 'whilst according all possible weight to these documents,' declined to accept them as conclusive until Waterboer had been afforded an opportunity of making his comments upon them, and suggested also that the copies of documents produced should be verified by comparison with the originals. To this President Brand and Mr. Hutton assented, at the same time stating that they did so 'not with a view of their being submitted to Waterboer for comment, but for the purpose of giving the Governor himself every information.'

Accordingly, on the 19th January, Messrs. Southey and Griffith, the Colonial Secretary and Attorney-General of the Cape Government, inspected the documents produced by the Free State authorities, but found omissions and inaccuracies which greatly diminished their value. For instance, a declaration by one Rabie in 1870 gave a 'very different version of what took place in Griqua Town' at an interview with Waterboer from that which he had given in a report of the same in 1854; a letter was produced purporting to have been written by Cornelius Kok, who was admitted by President Brand and Mr. Hutton to have been *unable to write;* and another letter, stated to have been written by Waterboer, had a signature unlike the usual signature of that chief, and its authenticity was understood to be denied by him.

The Free State authorities having renewed to Sir Henry their protest against the interference of the British Government, which they held to be barred by the convention of 1854, Sir Henry addressed to the President on the 23rd January two communications which placed the matter in the most intelligible light:—

'That convention,' he states, 'was meant, as it strikes me, to give full assurance to that small body of settlers that the powerful native tribes by whom they were surrounded would never, directly or indirectly, be aided or encouraged by the British Government in any aggressions they might commit; but it was never, I conceive, designed to pledge that Government to refrain, in the then improbable event of those settlers becoming in the course of years numerous and strong enough to dispossess the natives of lands beyond the ample territories made over to them, from adopting such measures as the welfare of the Cape Colony or the security of its frontier might render expedient. That these views are in accordance with those entertained by Her Majesty's Government is, I think, demonstrated by the reception of the Basuto nation as British subjects in 1868, *and there can be no greater impediment now to the reception of the Chief Waterboer and his people.*'

And, dealing with the question of Cor-

nelius Kok's sale, Sir Henry pertinently observes:—

'I am at a loss to conceive on what principle, even supposing these sales had all been made to subjects of your Government, *the transfer of property in land situate within one state to the subject of another can transfer the sovereignty over the land from the Government of the vendor to that of the purchaser*, or on what principle while the sovereignty remained, according to your Honour's theory, in Cornelius Kok and his successors, the Free State Government permitted these lands to be enrolled in its land register; and this enregisterment seems even more unaccountable when we find that *many of the persons to whom the Griquas sold were subjects either of Great Britain or of other States foreign to the Orange Free State.*'

In these communications Sir Henry Barkly referred to the statement of Waterboer that several of the Free State documents were forgeries, notably one in which an enregisterment in their books in 1860 was allowed to be made by one Corner, representing himself to be acting under authority given him by Cornelius Kok, who had died in 1856. In their reply, the Free State authorities asked for proof of this allegation, and having received the Governor's answers returned home at the close of the month.

Anxious to ascertain for himself the best possible information relative to the affairs of the diamond-field territory, Sir Henry Barkly had determined upon a personal visit to that region of South Africa; and accordingly, after a short stay at the seat of government, he set out upon an expedition northwards, and arrived at Klipdrift, 720 miles from Capetown, upon the 26th of February. The state of the diggings at this time has already been described. Mr. Campbell, with a rival Free State commissioner at Pniel, and a Trans Vaal functionary at Hebron, had been performing his duty with combined firmness and caution, in spite of the protest of the Boer authorities, and indeed had succeeded in preventing a rising of native tribes against the latter, and had exercised a soothing influence which had probably prevented complications of a grave and painful character. Having received direct authority from Waterboer, and being continually pressed by the diggers, he had at last judged it necessary to take further steps, and accordingly in January of the present year, issued notices warning persons not to purchase land without his sanction, or pay licence duties to others than himself, and calling also for tenders for the erection of a gaol at Pniel, and for forage for a body of mounted police.

Upon his arrival at Klipdrift, Sir Henry Barkly received from President Brand a formal protest against these proceedings, accompanied by an inquiry whether the notices of Mr. Campbell were issued by the authority of Her Majesty's Government. As the Governor's instructions from the Home Government did not permit him at once to accept Waterboer's allegiance, he was unable to take that decided and resolute tone which would probably have gone far to check the pretensions of the Free State. His attitude, however, was sufficiently firm to inspire confidence in the digging community, who were overjoyed at his visit, and in large numbers presented to him addresses of welcome, and expressed their great satisfaction at his appointment. Waterboer and other native chiefs also presented an address couched in similar terms, repeating their desire to be received as British subjects, to which Sir Henry replied in friendly and reassuring words.

Meanwhile the Trans Vaal authorities had shown themselves more amenable to argument than their brethren of the Free State. In October, 1870, President Pretorius had replied to General Hay's despatch in a reasonable and not unfriendly spirit, stating that the claims of his government were made in respect of agreements entered into at different times with native chiefs; that their validity appeared to be supported by the abandonment of the Free State of their claims to the particular land to which they related, but that the South African Republic had no wish unduly to enlarge its limits; and it was not *his* (the President's) fault that the matter had not been already settled in an amicable manner by arbitration. And soon after Sir Henry's arrival at Klipdrift, he was able (March 2nd), after a lengthened conference with President Pretorius, in which Waterboer and the other chiefs took part, to inform President Brand that his brother president had agreed to the appointment of a joint commission, viz., John Campbell on the part of the chiefs, and Anthony Alexander O'Reilly on the part of the republic, to take evidence as to the boundaries in dispute between them, taking as a referee, in case of difference, Mr. Keate, the Lieutenant-Governor of Natal. Pending this arbitration, British subjects within the disputed line were to be under the jurisdiction of the British magistrate alone.

In answer to this communication, President Brand replied that the Free State would not agree to any such arbitration; that they had protested against the reception of the Basutos as British subjects, and equally now protested against the reception of Waterboer, and that they would maintain the Vetburgh line, and that alone. They would,

however, be willing to refer to a foreign Power—the President of the United States of America or the King of Holland—two questions;—

'Firstly, Whether, under present circumstances, Her Majesty's Government can, consistently with the true intent and meaning and the spirit of Article 2 of the Convention, accede to the request of Captain Waterboer.

'And secondly, To decide, as arbitrator, on the validity of the title of the Orange Free State Government to the Campbell lands—that is, the lands to the north of the Vaal River.'

After a further interchange of letters which was productive of no satisfactory result, Sir Henry left the diggings to visit Basuto-land. Scarcely, however, was his back turned when President Brand, determined to enforce the authority of the Free State over the disputed territory, called out a 'commando' of a thousand armed Boers, with four pieces of artillery, with directions to march into the ground for this purpose. Upon the 20th March, as soon as this information reached him, Sir Henry Barkly addressed a protest to President Brand, expressing his astonishment at this step on his part, declaring that 'it was difficult to regard it in any other light than an attempt to levy war upon the Queen of England, and that it was his fixed determination to repel force by force, and to protect Her Majesty's subjects by every means in his power from all interference by Free State authorities, whilst pursuing their lawful calling in the territory claimed by Waterboer, so long as the question of title to that property had not been disposed of by competent authority.'

At the same time the Governor addressed a further despatch to President Brand, commenting upon the question of the convention of 1854, and pointing out, *inter alia*, that by that Convention Her Majesty's Special Commissioners agreed to transfer the government of the Orange River Territory to the *representatives delegated* by the inhabitants to receive it; that such government never embraced the territory or people of the independent native chiefs, and the persons authorised to receive it were delegates from districts in none of which were the lands of Waterboer, Moshesh, and other native chiefs, included, which lands could not therefore have been affected by the transaction. President Brand replied upon the 23rd March, denying any intention of levying war upon the Queen, but asserting that he had told the Governor at Klipdrift that he saw no other way left to the Free State but to call out a 'commando' for the protection and maintenance of the Vetburgh line. This was immediately and explicitly denied by the Governor, who was corroborated in his recollection by Mr. Bowker, Commandant of the Cape Mounted Police, who had been present at the interview.

But Sir Henry Barkly took other measures besides writing despatches. He promptly ordered up the whole available force of mounted police to Hopetown, in readiness to protect the British subjects who were threatened by the Free State commando. As far as can be gathered from newspaper reports, it does not appear that this commando was very extensively obeyed by the Boers, or that any number nearly approaching a thousand ever assembled. The Volksraad meanwhile had met, and having received from President Brand information as to what had passed, they agreed to certain resolutions, which were forwarded to Sir Henry Barkly in the first week of April. They expressed their regret that the British Government appeared to think Waterboer's claim the best; they declared that impartial and unprejudiced arbitrators could not be found in South Africa, and they empowered their President to offer to submit to the arbitration of the Emperor of Germany, the King of Holland, or the President of the United States, *the jurisdiction of the Free State over the disputed grounds to be maintained and exercised pending the decision.* Moreover they stated that if these terms were assented to, and Mr. Campbell's notices withdrawn, their armed force should be recalled. Sir Henry Barkly replied with great propriety that he would entertain no project for arbitration on the terms proposed, until the commando had been withdrawn; and on the 4th May, the Volksraad instructed their President to take immediate steps for such withdrawal. It is probable that the firm tone of the Governor had something to do with this prudent step, backed as it was, moreover, by the attitude of the diggers, who had determined to resist to the last any attack by the Boers, and who, it was evident, would in no case submit to the Free State authorities.

Against this large body of men, more or less organised and armed, sure of the sympathies and support of the native tribes, and encouraged by the hope of British aid, the Boers would have found it difficult to hold their own; and it was not surprising that the force summoned by the President's commando rapidly melted away and disappeared. This step, however, which Mr. Brand had so rashly and prematurely taken, had the natural effect of causing great irritation among the community of diggers, and rendering more than ever impossible the jurisdiction of the Free State over the disputed territory. But

the failure of their commando, the attitude of the British Government, and the hostility of the diggers, failed to convince the Free State authorities of the weakness of their position, or to prevent the continuance of their attempt to appropriate the diamondiferous region. With a pertinacity characteristic of their Dutch origin, they adhered to the views and arguments with which they had commenced the controversy.

Upon the 2nd June the Volksraad took into consideration the last letter of Sir H. Barkly, and 'having perceived that His Excellency seems to have misunderstood the resolution of the 5th April last, inasmuch as he represents the question which the Volksraad consented to refer to arbitration, as a dispute between the Government of the Orange Free State and Captain Nicholas Waterboer, whilst the Volksraad consider it a dispute between the British Government and that of the Orange Free State,' passed certain resolutions declaring their adhesion to the views already expressed. To which Sir Henry replied by a despatch, again stating the views of the British Government, and terminating with an expression of regret that all attempts at a fair settlement had so far failed, and that it only remained for Her Majesty's Government to determine what further measures should be adopted for the support of her ally, and for securing the rights and privileges of her subjects.

In this critical state of affairs it is hardly possible that the interests of Great Britain and the colonists at the Cape could have been confided to better hands than those of Sir H. Barkly. His service of upwards of twenty years in British Guiana, Jamaica, Victoria, and Mauritius, had proved his capacity for colonial government, and had justly earned for him the confidence of his Sovereign and his country. Now, however, that we have traced the conduct of affairs by the British authorities upon the spot, it is time that the question should be asked, what has been the action of the Home Government during and with respect to the proceedings which have been described. Fortunately for the dignity and character of England, her colonial administration had been placed in no feeble or vacillating hands. The man who had steered Ireland through one of the most dangerous periods of her history, and the vigour and ability of whose administration during that difficult time had justified the expectations of those who had selected him to fill the office of Viceroy, was little likely to be influenced by the timidity and hesitation which had characterized our South African policy in 1851–4, so far as they have been made known to the Cape Parliament. Lord Kimberley's despatches, written in a calm and dignified spirit, have from first to last conveyed, in no doubtful tone, the wise and firm policy upon which Her Majesty's Government had determined. Upon the first intimation of the desire of the Griquas to be received as British subjects, Lord Kimberley had placed the matter upon its true footing, namely, as one in which England could have no concern so far as it was to be considered as an extension of her power and dominion, but which she should and would be ready to entertain and regard in a favourable light, in so far as it might be shown to be a question affecting the welfare and interests of the Cape Colony, and for the solution of which, in accordance with those interests and with the wishes of the colonists, her sanction and consent to necessary measures would be asked.

On the 6th November, 1870, Lord Kimberley addressed to General Hay a despatch, formally approving the course which he had taken in his communications with the Free State President in the month of September; and on the 17th November he informed Sir Henry Barkly that 'although Her Majesty's Government had no desire to extend the South African Colonies, in the then anomalous condition of the government of the Cape, the case might be altered if that colony were willing to adopt responsible government, and to take upon itself the burden of protecting the newly-acquired territory.' In subsequent despatches the same tone was adopted; and a despatch of the 24th January of the present year informed Sir Henry Barkly that the matter would be left in his hands, with a caution to him not to be a party to the annexation of any territory which the Colony would not be able to govern and defend by its own resources.

The subsequent despatches of the Secretary of State for the Colonies will probably be given in the papers which have been promised to Parliament, and they will doubtless show that the course which has been pursued throughout has been equally clear and decided. We know, indeed, from an answer given by the Under-Secretary of State, in the House of Commons, that Her Majesty has been advised to accept the cession of Waterboer's territory, provided that the Cape Parliament consent to undertake the government thereof; and we may feel assured that the projects of territorial aggrandisement on the part of the Free State Boers will not be encouraged by any vacillation or timidity in Downing Street. Lord Kimberley will be very unlikely to admit Mr. Brand's construction of the 2nd article of the convention of 1854, nor is it probable that he

will consent to refer such a point to the arbitration of any foreign potentate.

Indeed, considering that the article in question occurs, not in a treaty between two independent powers, but in a convention voluntarily entered into by Her Majesty with a portion of her own subjects, it is evident that the interference of a foreign Power to interpret the intentions with which that convention had been framed is wholly unnecessary, and might be attended with great inconvenience. Moreover, if the British Government has no right to annex Waterboer's territory, the same might be said with regard to Basuta-Land; and, having advised Her Majesty to consent to annexation, Lord Kimberley's firmness and wisdom may be relied upon to refuse a proposal which could at best only lead to delay, during which the unsettled state of the disputed territory would probably lead to grave results.

The arbitration as to boundaries which has been agreed to by the President of the Trans Vaal Republic, appears to be also suitable to the case of the Free State; and when the papers are in our hands it will probably appear that such has been the view of the Secretary for the Colonies. Meanwhile, the despatches already quoted evince a tone at once firm and conciliatory, and Sir H. Barkly must have felt his hands strengthened by the knowledge of the confidence placed in him by his Government, and the tone of decision which characterized their communications.

Before these pages can be in the hands of the public, matters will probably have assumed a more certain and definite form; and it is to be hoped that a satisfactory solution may be imminent, if not already at this moment obtained. It is, however, possible that difficulties may arise from within the Cape Colony itself, where the Dutch element is strong; and, as 'blood is thicker than water,' latent sympathy for the Free State Boers may to some extent prevent that unanimity of action which, in the interests of the colony, is so desirable. Self-interest, however, is a strong ingredient in the composition of men of all nations, and this will not be wanting to the colonists in the consideration of the questions which are even now pending before the Cape Parliament.

The annexation to the Cape of such a valuable territory as that which is now in dispute between the Free State and the Griquas, cannot but tend to add materially to the progressive improvement of the colony. Nor are there wanting indications that she is at this moment entering upon a phase of her history in which the prospect of coming prosperity kindles the ambition and excites the patriotism of a young community. The financial affairs of the colony are decidedly in a position which may be deemed satisfactory, as will be shown by the subjoined figures:—

	1868.	1869.	1870.
	£	£	£
Revenue, .	577,322	580,026	661,392
Expenditure, .	668,086	648,732	625,874

Showing a gradual increase of revenue and decrease of expenditure, resulting in a surplus, in 1870, of 35,518*l*. The improvement has occurred mainly in the customs and land revenue; and although it may no doubt be partly attributed to the consumption by the new and increasing digger population of articles upon which duties are levied, yet it also affords evidence of internal progress which is highly satisfactory to the friends of the colony. The precious stones exported from the Cape in 1870 are said to have fallen little short of a quarter of a million in value, and there are no signs of any alteration save in the direction of increase, new diamond fields being constantly discovered, and a large area brought into working. Many of the diggers, moreover, being farmers, who, after a temporary migration to the diamond fields, will return to their flocks and herds, and employ their gains in adding to their farms, it is to be hoped that some portion at least of the wealth acquired in South Africa will be employed in the further development of her internal resources and the advancement of her local prosperity.

Moreover, besides the important question of the diamond fields, other events of magnitude are crowding upon us in connection with Cape affairs. The subject of the adoption of a system of responsible government has been under the consideration of the Cape Parliament, and the bill for the introduction thereof passed the House of Assembly towards the end of the month of July. It was, indeed, rejected by a majority of three in the Legislative Council, but rather upon the question of time than upon the merits of the Bill, the adoption of which cannot long be delayed.

Simultaneously with this discussion, the old Federation question has been revived, and a commission appointed by Sir H. Barkly to report upon the subject so far as relates to British possessions in South Africa, and at the same time the temper of the Cape Parliament has been evinced by the adoption on the 19th of July, of the following resolution upon the subject of annexation, proposed by the Colonial Secretary:—

'That, in the opinion of this Committee, it is desirable and needful, as well for the interests

of this colony as with a view to the maintenance of peace and order on our borders, that such a part of the territory commonly designated "the Diamond Fields," as belongs to the Griquas of West Griqualand, under the government of Captain Nicholas Waterboer, or to the native chiefs and people living in the vicinity of the said Griquas, should, in accordacce with the desire expressed by the large number of British subjects now located there, and with the sanction of Her Majesty the Queen, and the consent of the said Griquas and other natives, be annexed to the colony. And this Committee is further of opinion that, if measures, having for their object the annexation of the territories aforesaid and the good government of the people resident therein, are introduced into the House of Assembly by his Excellency the Governor, it is expedient that the House should give its most favourable attention thereto, and should do what in it lies to make proper provision for the government and defence of the said territory, and for meeting the expenditure that may be occasioned thereby.'

It may be that when the Free State and Trans Vaal Boers are convinced of the approval of annexation on the part of the Cape Colonists, as well as of the firmness and determination of the British Government, they may be induced to reconsider the course of action which they have heretofore indicated. If they call to mind, moreover, the long years of difficulty and trouble which have followed their separation from British sovereignty, they may even yet come to the conclusion that their own future, as well as the future of the Cape Colony and of Natal, will stand out all the brighter if separation and division can once for all be exchanged for friendly unity. Welded together under one strong government, a Federation of loyal and well-managed provinces in South Africa might, indeed, look forward to a great, happy, and prosperous future.

This question of the diamond fields is but one phase of colonial history. Its final solution may, indeed, be looked for with some anxiety, but the ability and discretion of Sir Henry Barkly, supported by the firm and statesmanlike policy of the present Secretary of State for the Colonies, may be relied upon with confidence by those who await that solution. Let us trust that no recurrence by feebler men to the vacillation of 1851–4 may fetter that discretion or interfere with that policy. In the region of South Africa we have the finest climate in the world, a geographical situation important beyond measure when considered with reference to the other possessions of Great Britain, and a country possessing enormous capabilities of development. That development is already in progress: to guide and stimulate it by a judicious policy is in the power of Great Britain, and to that power is attached no little responsibility. A thrifty, cold, timorous, unfriendly policy may check the progress of the Cape and disgust the colonists. But we may hope for better things under our present *régime* at the Colonial Office. A hearty, generous tone of encouragement towards those who are about to help themselves, expressing the interest which Great Britain, as a mother country, takes in her distant children; and, whilst inculcating the lessons of self-reliance, at the same time assuring the colonists of the constant and watchful sympathy of the Government at home, will be amply justified by its beneficial results.

Nor can there be any valid excuse for a different line of conduct. Even economical considerations tell in favour of such a policy. The resources of South Africa have been shown to be more than sufficient to make her self-supporting; her products and the increasing trade which will follow her gradual but certain development under an united and stable form of government, will not only relieve Great Britain from any apprehension of future expenditure to be incurred on her behalf, but will ere long more than repay the exertions and expenses of the past. Great as these have been, England will be amply rewarded if these efforts should result in the final pacification of a country for and in which so much of her blood and treasure have been expended, and in the permanent establishment of a system of government which will promote the welfare and happiness of the inhabitants of that country, and at the same time inscribe upon the page of history one more record of the contributions of English colonists to the cause of the civilisation and social progress of the world.

Art. VI.—1. *Systems of Land Tenure in various Countries.* A series of Essays published under the sanction of the Cobden Club. 1870.

2. *Reports respecting the Tenure of Land in Europe.* Foreign Office. 1869.

3. *Programmes of the Land Tenure Reform Association: with an Explanatory Statement.* By John Stuart Mill. 1871.

4. *Landlordism.* By David Syme. 1771.

5. *Nasse on the Agricultural Community of the Middle Ages.* Translated by Colonel Ouvry. 1871.

It is often matter of curious observation to note how long controversies will survive the

importance, nay, the very existence, of the subject-matter out of which they arise. The two champions in Orlando Furioso went on fighting for the fair Angelica, inflicting grievous wounds and performing wonderful feats of fence, long after the lady in question had slipped out of their presence, aided by magic sleight. It was only on pausing to take breath that they discovered they had nothing left to contend for. And so, in philosophical discussions respecting matters connected with the progress of our race, it will every now and then happen that this progress outstrips the discussion itself; and while the partisans of the two sides are still engaged in argument respecting accuracy of facts or questions of terminology, society has opened a new chapter of existence, and the rival reasoners go on for a while with a contest of which they do not recognise the futility. Something like this has not unfrequently occurred in the wranglings of political economy. The arguments do not finally die out until some time after the practical problem has been solved by inevitable action. A similar state of things is now evincing itself in regard to another very favourite field for the exercise of philosophical ingenuity—the 'small and great culture' question, or rather questions. For it is of course one thing to maintain, as some do, that small farms, within a certain limit, can raise a greater net produce than large ones; another thing to contend for the moral and social advantages of small as against large proprietorships. In a scientific sense, the two questions are entirely distinct, and a good deal of confusion arises from allowing the one to slide into the other. But in respect of their bearing on practical life, they are of course closely connected. Large farm cultivation, together with sub-division of landed property, may not be impracticable, but has not as yet been realised. And, taking the whole subject as one, few have excited of late years greater interest or been debated with greater vehemence. Mr. Mill and his school possess, at all events, the merit of having endeavoured to lead public opinion into a new mould, and met the generalisations of Arthur Young and his sectaries by generalisations quite as bold, and resting on proofs quite as plausible. That the contest still rages is evinced by the contents of the essays contained in the Cobden Club volume before us,* which has met with very many readers, suggested much discussion, and provoked some answers. In two at least of the essays (On Land Tenure in France, by Mr. Cliffe Leslie; in Belgium, by M. de Laveleye), the issue between peasant properties and large properties is the leading subject, and is treated with strong inclination towards the former alternative.

But none of the champions appears sufficiently alive to the fact that the debate on which they are engaged is rapidly and surely deciding itself, through causes with which their ingenious speculations have nothing to do. As between small and large cultivation, every improvement in machinery, communication, intelligence, every new railway which is made or telegraph line which is constructed, has its tendency to favour the latter and depress the former. Economy of labour, economy of material, economy of force, in short, in every way in which it can be applied or understood, is in favour of the large farmer and against the small one. The qualities of the latter, hard industry, scrupulous saving, thrift, and even skill in the subordinate sense, lose day by day their comparative importance. The qualities of the former, intelligence on the broader scale, combination, speculative audacity, readiness for the adoption of novel means for ancient ends; these, in the progressive contest of life, are acquiring more and more the mastery. This may be a hard saying; our sentimental preference may be all for the virtues of the peasant cultivators, rather than of the capitalist cultivators; but we cannot help it. Neither tender feelings nor abstract scientific principles avail aught against the march of events. Like Churchill's 'youth' which

> 'Impetuous presses on to manhood's reign,
> Impetuous presses on, yet with a cast
> Of fond regret looks back on childhood past,'

we may pause in our career to regret the better features of a state of things which has passed and is passing away; but we cannot recall them. And we must remember in addition a law which is too apt to escape our memory; that any impulse given to social progress in one direction, until some cause of arrest arises, increases in intensity and rapidity. Not only is the world on which we look constantly moving on, but the rate of motion is always (as a rule) in course of acceleration. If capital is accumulated in fewer hands now than it was twenty years ago, the probable calculation is, not only that it will be concentrated in still fewer hands twenty years hence, but that the rate or percentage of accumulation will be greater for the next twenty years than it has been for the last. We have spoken hitherto of the

* Why a club instituted in honour of the apostle of Free Trade should have become an exponent of 'anti-landlord' opinions and restrictive agrarianism, we are unaware, nor does the preface really explain. Mr. Cobden himself gave no countenance to such views.

increasing prevalence of large over small farmers, but the same truth is equally manifest (and for reasons similar, though not exactly the same) as to the increase and consolidation of estates in the hands of large proprietors. There are of course certain limits to this rate of progress in both cases; but unless those limits are assignable—unless we can bring evidence of a commencing tendency to approach them—sound philosophy bids us rely on the continuance of the movement now proceeding.

It is essential to observe that the tendency of which we speak, and which we venture to term, in economics, the ruling tendency of modern society, is in no degree confined to what concerns the appropriation and cultivation of land. In all industries alike, the 'turn' is in favour of large capitals against small; of engrossers against small retailers; of the wealthy few against the many traders on a competence. Mr. Norman, one of the ablest of our old-fashioned scholars of Smith and Ricardo who survive, though by no means 'sensational' enough for the requirements of this generation, has expressed this truth in language better than any which we could substitute for it:—

'The writer,' he says, speaking of the Irish land difficulty, 'would even venture to hint that peasant proprietors are an institution which can hardly continue to exist in any country where property is thoroughly secure, and where an advanced state of industry in all its branches creates a demand for a numerous class of highly-paid labourers. In such a state of things the small landowner will infallibly sell his land, for which he will probably obtain from thirty to forty years' purchase, and employ his money more profitably. Peasant properties, cultivated by their owners, differ but little in principle from domestic manufactures; and as these, unless in special cases, have yielded to the factory system, so will peasant proprietors gradually become either farmers or well-paid labourers, owning perhaps a house and garden, and placing their savings in securities yielding a higher return than they obtained from a few miserable acres of the soil.'*

We quote the passage rather for the historical truth (so to speak) which it expresses, than as sharing in the author's anticipations as to the probable future of the dispossessed classes, which are a little too sanguine for us. Emigration, we fear, offers a somewhat readier solution of that riddle.

As surely as the industry of the mill devoured that of the cottage distaff, so surely, on a larger area, will accumulated fortune prevail in the contest with dispersed fortunes. It is of no avail to indulge in sentimental regrets over the law of progress, like the Ruskinesque band of fanciful moralists, or in dark prophecy mingled with indignant denunciation, like our philosophers of the Comtist school; we must face the facts, for we cannot alter them. A state may indeed make laws prohibiting the accumulation of capital, as well as the accumulation of land; it is even conceivable that a state might enforce such laws; but it is perfectly clear that it can only enforce them at the cost of destroying or banishing that industry by which alone our community subsists. To arrest the course of events, at this expense, may be possible; to regulate it is simply impracticable, if failure alike in *à priori* reasoning and in repeated experiment may be held to demonstrate impracticability. It is the insoluble problem on which Socialists and Communists, Owenists, Fourieristes, Saint Simonians, Cabetians, and disciples of Louis Blanc, Comtists, and the more advanced trades' unionists, have tried their wits for a century in vain.

'It would be absurd' (remarks M. Bastiat, after enumerating several of these schools of destructive philosophy), 'to suppose that only these modes of organization are possible. Their number is unlimited. Every morning may bring forth another, more seductive than that of yesterday; and I leave it to conjecture what would become of humanity, if, when one of these discoveries had been imposed upon it, another and a more substantial one were suddenly to disclose itself.'*

How far some happier age than ours may succeed by and bye in connecting capital with labour through co-operative systems we cannot now investigate; it is a theory, as we all know, in which many find the only point of light amidst their gloomy anticipations of the future. But we are now concerned only with one province of the great industry question—that relating to land; and there are many reasons why co-operative experiments should be tried later, and succeed with more difficulty, in this than in any other.

'The machinery doctrine,' says Mr. Wren Hoskyns, 'is, as applied to the soil, the doctrine of starvation to the labourer and dispossession to the small proprietor; and instead of belonging to the advance of knowledge, is a retrogression towards the time when a knight's fee included a whole wapen take or hundred, and a count was territorial lord of a county.' Why the 'machinery doctrine' should be that of starvation to the labourer we are altogether at a loss to un-

* From an article in the 'Economist' (February 22, 1868), reprinted—unluckily not republished—in Mr. Norman's privately-printed volume of 'Papers on various Subjects.'

* Œuvres, vol. iv. p. 284.

derstand. We fancied that economical observation, while leaving many a problem of cardinal importance as yet unsolved, had at least established this truth—that in the long run, the progress of machinery, whether in agriculture or in other industries, must tend to raise, not to depress, the condition of the labourer. But that it is the doctrine of dispossession, as far as the small proprietor is concerned, we fully agree. We believe this result, whether wished for or not, to be unavoidable, wherever the free transfer of land, and the free disposal of it by will, are practices recognised and acted on.

What, then, is the main cause which in the present day impedes that which appears to be the natural course of events—the gradual aggregation of land in the hands of the very few? The first is what M. de Laveleye terms the force of 'agricultural associations; in other words, the passion for land which induces the small proprietor, in countries where small properties prevail, to hold it even to his own evident loss, and with the certainty of perpetual poverty before him. Far be it from us to undervalue the singular tenacity of this sentiment. Wherever it exists, it determines to a great extent the character of a people. It forms one of the many exceptions to the general doctrine, which economists are forced to assume as the basis of their science, but which is so subject to limitation that it may almost be regarded for practical purposes as arbitrary—that men in the long run are guided in relation to the production and distribution of wealth by their pecuniary interests. Wherever this feeling operates, capital is kept aloof from employment on land, not so much by the high price of land, as by the ever subsisting though passive combination to bar out the capitalist from the peasant circle. Such is practically the state of things in three-fourths of France; such it probably is, though less marked with extreme features of jealousy, in the greater part of Europe. But no such sentiment or 'association' exists in England; the extension of the demesnes of the few is opposed by no attachment worth speaking of to the mere ownership of land as such; no obstacle therefore of this class impedes the progress of accumulation.

And it is with England that we are at present concerned. Arguments, therefore, founded on an alleged desire for small proprietorship which does not exist, are really beside the question. Nor can such a taste be created; in default of it, the State, if it wished to maintain the subdivision of land, must resort to compulsion. If some philosopher should succeed in effecting such subdivision into small holdings, these holdings would (we repeat) be united again, and reconverted into large estates, if people were only allowed to do what they would with their own. To guard against this otherwise inevitable result, restrictions must be placed on the size of estates far more operative than those which would follow from the mere abolition of primogeniture. We must have an agrarian law in constant action, or we must recur to something like the Jewish system, under which the soil reverted to its former owners every 'jubilee year.' In this way we might possibly maintain our principle of democratic macadamisation of property, but we could only maintain it at the expense of another favourite principle, that of the easy transferableness of land. The two are incompatible in countries where capital holds sway. You cannot have an open market for land, and at the same time prohibit capitalists from availing themselves of that market.

We have said that this tendency to the increase of landed estates belongs to countries in which capital abounds; where it is easily created and accumulated; countries advanced in what are commonly called the elements of material civilization; while in those which are backward or stationary, the tendency to subdivision more readily prevails. And it happens that we have a kingdom near at hand, in which the transition from the latter condition to the first appears to be steadily progressing. Belgium has been known for centuries as the model region, both of small properties (with which we are now concerned) and of small farmers. But in Belgium movable wealth is rapidly increasing under the influence of steady well-being, and the fashion of investing moveable wealth in land is also on the increase. It is also a country in which good and practical laws facilitate that increase to the uttermost. And the result appears clearly enough from M. Emile de Laveleye's essay on the 'Land System of Belgium and Holland,' in the Cobden Club collection. Notwithstanding some scattered statistical indications of a contrary character, Belgium, according to the following extract, is becoming a land in which the landlord and rack-rent tenant system is growing up 'by the side,' as M. de Laveleye expresses it, of the old-fashioned peasant proprietorship. And this deduction is the more striking, because it is clearly contrary to M. de Laveleye's own wishes and convictions. He writes throughout as a strong advocate, and an able one, at once of the system of peasant proprietorship and of that of free commerce in land. It is to him an unwelcome fact,

and one scarcely comprehensible, that the second is killing the first. But the proofs are before his eyes, and he is compelled by love of truth to bring them prominently forward:—

'The system of tenure usual in Belgium is a lease.' (The Métayer system, he explains, is out of date there.) 'The leases are very short; nine years at most as a rule; very seldom indeed for so much as eighteen years. On the other hand, yearly tenancy and tenancy at will are also very exceptional. All who devote attention to agriculture, even the agricultural societies, though consisting almost entirely of landowners, admit that the leases are too short. The tenant is not encouraged to improve, and, if he does make improvements, he can hardly be said to reap the benefit of them. The landlords will not grant longer leases, because they want, in the first place, to keep a hold upon their tenants; and, secondly, to raise the rents when the leases expire. It may be said that throughout Belgium such increases of rent take place regularly and periodically. . . . This is a farther proof of the proposition so clearly set forth by Mr. Mill, that while the rate of profit and of interest has a downward tendency in a progressive community, rent, on the contrary, tends to a rise incessantly. Thus, the landowners actually reap all the benefit resulting from the progress made by the entire community in various directions. Part of this progressive increase in rent may be traced to improvements made by the farmers in the cultivation of the soil. By raising the rent the landlord lays hold of this advance in the value of the land. The increase of the revenue the landlord derives from his land is not the result of improvements executed by himself; and the fact adverted to is a general one, which may be met with everywhere. In whatever cases landlords may have actually made improvements they have got the interest of the outlay in the shape of an additional augmentation of their revenue. For these reasons I think that the increase of rent, being due to the progress of society at large, and not to the exertions of the landowners, ought not in justice to benefit the latter alone. It would be but fair to divide this benefit. For a portion of it the tenant should come in; and this he would get if he had a longer lease. Another part of it should fall to the community at large in the shape of an increase of the land tax. . . . All this applies with equal force to the British Isles; but subject to some important restrictions; because, in the first place, English and Irish landlords do not put on the screw of a continual increase of rent with anything like the harshness habitual with Belgium landowners. In the second place, the local rates in England are high, and are rising progressively. Thirdly, rents have been raised in England much less in proportion than they are in Belgium. Nevertheless, as regards the increase of rent, the land system of Belgium is inferior to that of England. In both countries, part of the clear profit of civilisation is sublimated, so to speak, and deposited in the state of increased rent in the landlord's exchequer, even though he is an absentee or a do-nothing. But where there are a great many landowners, a large proportion of its inhabitants must come in for a share in the increased rent. If, on the contrary, they are few in number, they monopolise the whole of the social benefit. In the former case, the working of the economic law of increasing rent will be harsher than in the latter; yet it will be acquiesced in when many benefit by it, while it must sooner or later arouse opposition where it tends to enrich a few families only. The system of rack-renting, which is so much censured in England, is generally practised in Flanders; nevertheless, the tenant bears it with all meekness, notwithstanding the sufferings it entails on him. In the United Kingdom the landlord would scruple to shear his tenants as they are shorn in Flanders, yet he does not escape reproach: and this is easily explained by the fact that, for one landowner in England, there are two hundred and fifty in Flanders. Still, on the whole, the system of tenure of land in Flanders is anything but worthy of imitation. There are too many tenant-farmers, and too few peasant proprietors; the leases are excessively short, and the rents excessively high.' (*Cobden Club Essays*, p. 253.)*

Now it is difficult to imagine, although M. de Laveleye shows no signs of perceiving it, any demonstration more cogent than this passage affords of the general truth, that the present state of the world, arising out of diffusion of wealth and out of improvements in the application of large masses of capital to land, tends to make peasant proprietorship impossible. The phenomenon of its decline is evidently not English alone. It extends to Belgium also. And yet Belgium is in some respects very different from England. The spirit of society is not aristocratic. The law discourages the maintenance of hereditary estates, the accumulation of land in few hands. Custom does not favour it. There is much of the same strong democratic feeling which exists in France, although of a more sober cast. There is much attachment to the soil. Nevertheless, the complaint of agrarian philosophers is the same respecting Belgium as respecting England. The reasons, we venture to affirm, are fundamentally the same, and they are general, not local, in

* The following table, extracted from the Foreign Office Blue-Book at the head of this article, is enough to prove how the usage of cultivation by tenants in Belgium prevails most in those parts of the kingdom where civic wealth most abounds:—

Provinces.	Owners.	Tenants.
Antwerp	21,063	26,872
Brabant	54,109	29,021
West Flanders	19,705	58,792
East Flanders	45,547	42,758
Hainault	68,230	37,747
Liége	36,897	18,450
Luxemburg	31,675	4,569
Limburg	24,307	7,963
Namur	36,153	8,791

their character. They arise out of causes which will make the tour of the world. The first is a comparative abundance of money, which will steadily seek investment in land, and will steadily maintain the price of land at such a height as to render it a luxury, and continually tempt the peasant proprietor to part with it. The other is a handy and convenient system of land laws, widely different in these respects from our own. 'As regards the transfer of land and the law of mortgage,' says the same M. de Laveleye, 'Belgium may be regarded as a model country.' He proceeds to explain the character of these laws. There is absolute authenticity combined with full publicity, being just the two things needful:—

'As long as England does not introduce security, publicity, facility of exchange, in fine, free trade in everything connected with property in land, there will be ever an insuperable obstacle to the establishment of an agrarian system in keeping with the wants of modern society.' (*Cobden Club Essays*, p. 269, 272.)

M. de Laveleye, in short, falls into the same singular fallacy which has ensnared the disciples of Mr. Mill's school in England. He is favourable to the greatest possible facilities for the transfer of land. He is favourable to small proprietorship. And he believes that the first will promote the second. Our own full belief is that (in the absence of sufficient counterbalancing tendencies) facility of transfer will, on the contrary, gradually absorb it. The student must learn to balance the probabilities. But M. de Laveleye's instance of Belgium clearly makes against him, and for us. In that country, in spite of powerful opposing influences, the tendency, under a system of free trade in land, is evidently to accumulation. He admits and deplores the fact, but, prepossessed by his theory, he does not see the reason. Mr. Cliffe Leslie (the author of the essay on the land system of France, in the same volume, and as strong an advocate of peasant properties as M. de Laveleye himself) may perhaps help him to a conclusion. 'In the absence,' says he, 'of natural economic tendencies towards the subdivision of land by its purchase in small lots, the best constructed legal system of transfer would only lead to its accumulation in few hands.' (*Cobden Club Essays*, p. 339.)

We have extracted from the essay of M. de Laveleye at some length, because it illustrates several important points in the controversy on which we are engaged. In the first place, it shows (as already remarked) that in democratic Belgium, as in aristocratic England, thanks to prosperity and good laws, 'the force and violence of the ordinary course of trade' in land is steadily inoculating the commonwealth with the disease 'of landlordism.' Secondly, it indicates that one empirical remedy for that disease—the confiscation of so much of the increase of rent as takes place without any contribution thereto by the landlord—had suggested itself to M. de Laveleye before it was taken up, as we shall see presently, by Mr. Mill and his Land Tenure Association. Lastly, because it throws light on another peculiarity of Mr. Mill and his school, if we may rank M. de Laveleye in that number—the deep colouring which their political speculations often, as we believe, unconsciously, on their part, lend to their economical opinions. It seems (according to our authority, whose views we only reproduce without comment) that the Belgian tenants at will suffer much worse things at the hands of their petty tyrants than British at those of their (comparatively) beneficent autocrats. And yet M. de Laveleye prefers the Belgian system to the English. And why? Simply, for aught we can see, because M. de Laveleye has been trained into a true Frenchman's passion for equality; because he dislikes a system of large landlords on political grounds, although, as regards the happiness of the cultivator, he sees plainly enough that it is superior to one of small landlords.

And now let us turn from the example of Belgium to one widely different. No two civilised and wealthy communities can well differ more, in regard to the elements of the production and distribution of wealth, than Belgium and the United States. And yet in all the older portions of the United States which continue to flourish—in most of the region, that is to say, bordering on the Atlantic and north of the Potomac—it would appear that the accumulation of capital, and the ready transferableness of land, are already producing similar effects; that land is acquiring a fancy value; that in eligible situations it is, consequently, in course of being monopolised; that the race of small farmers (who of course in that country are themselves chiefly owners) maintains an unprofitable struggle against circumstances; and that, with the characteristic shrewdness of their countrymen, they hold but loosely to the soil which is thus ungrateful to them, are the slaves of no sentimental or 'moral associations', connected with agriculture, and are ready to pack up and be gone as soon as they can get a price at home and prospects elsewhere sufficient to tempt them. Of course the description we are giving must not be taken as applying to any material extent to the States in general. They have

for the most part a long future before them, before they are ripe for territorial institutions resembling those of our old countries, where land is scarce and capital abundant. But, as regards the locality to which we restrict it, we make no apology for inserting the following extract from the 'Nation' newspaper, one of the ablest and best conducted of journals, both as to the affairs of Europe and of America:—

'The truth is that the railroad, the telegraph, and the newspaper, have taken the magic out of freeholds. The process of the concentration of land in few hands does not go on here (in America) because, in the first place, no man can here get either income or social consideration out of the holding of larger tracts of farming land than he can himself cultivate, and in the second place, because Europe is steadily supplying a class who are still in the peasant condition of mind and body, to take the place of the natives who are abandoning agriculture. We consequently do not need to trouble ourselves about the matter from a political point of view, and probably shall never have to do so; but one does not need to be very perspicacious to see that the problem, how to make country life attractive, which occupies social philosophers so much in the United States already, lies at the root of the land difficulty in England, far below the question of primogeniture or of testamentary disposition.

'No man buys an estate in England now with the view of making money out of it. He buys it with the view of "founding a family" and giving himself social consideration, and amusing himself. The buyers of land, therefore, are always in the market, offering prices which no holder who is dependent on his land for his living can well afford to refuse, and which in practice few men of the farming and yeomanry class, in these days of speculation, emigration, and travel, would think of refusing. The process which is going on all over England is, in short, the one which everybody is familiar with in the neighbourhood of our great cities in this country (America), where land has come into demand for country seats, and therefore risen ten or twenty times above its value for farming purposes. In other words, poor men cannot afford to own land.'

'Poor men cannot afford to own land.' In these words, whether we accept the proposition as one which but affirms the inevitable, or recoil from it as one which involves a long struggle between the classes of society, followed by disorganisation and anarchy, lies the secret of the riddle which now perplexes us all. It cannot be otherwise. If you could get rid of the whole existing race of proprietors by revolutionary violence or by compulsory composition; if you could divide England into lots; if you could restore the imaginary times of 'village communities' and joint ownership of the soil; still, if at the same time you left the disposal of land free, the same result would recur. 'Landlordism' would revive and grow again. After a period of transition, longer or shorter according to the amount of violence and insecurity with which the change was attended, capital would very certainly reassume its ordinary predominance, and the land would be engrossed once more. Nothing could prevent this (the continuance of peace and security being assumed), except the enactment and enforcement of agrarian laws. This, and no other, is the price which we must pay for reducing our landed property to the condition of comparative level for which Mr. Mill wishes, and of absolute level which alone will content his more advanced disciples. Does it not stand to reason that if the sale and purchase of land were perfectly easy and free, those persons would buy most land, and give the best price for it, who had most money to buy it with?

'The selling price of land,' to quote again Mr. Norman, 'is too high to tempt the small capitalists,* unless under special circumstances. In his view land does not pay. He well knows that if he is to let it to a farmer he cannot expect a return at the best of more than three per cent.; and that if he is to cultivate it himself, he will have to furnish additional money, with great chance of getting no return at all. . . . Here, then, we see why there is so little competition for moderate quantities of land, say farms of 100 or 200 acres, only fit for cultivation. It is quite different when land possesses an exceptional and extraneous value, as for building purposes, and is likely hereafter to yield a large return. Then the small capitalist becomes an eager purchaser. This state of things, too, sufficiently explains why it is that the number of proprietors holding small quantities of land for purposes of cultivation has diminished, and is likely perhaps still farther to diminish.' (*Essays*, p. 115.)†

* 'It is not found (says Mr. Norman nevertheless), that land is exceptionally dear in England, but the reverse. In France, Holland, Belgium, the best governed and most wealthy parts of the Continent, it is said to be worth more than thirty years' purchase, which is reckoned upon as the normal rate here. Indeed, with reference to the price of the Funds, which do not pay more than 3¼ per cent., it may be considered that land in England is relatively cheap. It would not be difficult to explain why it is that land is relatively dear upon the Continent, when compared to its price in England. We may, however, point at the fear of revolutions, the absence of poor laws in Catholic countries, old habits, and the influence of laws mainly derived from those of Rome, as the most efficient causes of the phenomenon.' We cannot but apprehend, *pace* Mr. Norman, that all such comparisons of the price of land are illusory unless we have before us a trustworthy estimate of comparative taxation on land, local and general.

† The other day an estate was bought in a

The fact of the existing tendency in wealthy countries towards accumulation of landed property, may therefore be assumed as undeniable. But before we consider the suggestions which have recently been made for the repression of a movement regarded by so many as a great national evil, it might be of value to form some estimate, though only conjectural, of the extent to which it has hitherto gone. For, in questions of fact relating to political economy and in allied investigations, we are likely to find so many counteracting currents of tendency, that to pronounce a general result as probable from known antecedents, and as having actually taken place, is to lay down two very different propositions. What is the actual division of landed property in the United Kingdom as compared with other countries? What is the number of our landowners? What the number of separate freeholds, or beneficial interests of such duration as to rank, in an economical sense, as properties? What is the average extent of each? These, and many other cognate questions, ought to be capable of receiving, at once, a ready and tolerably satisfactory answer. If our statistics were worth anything—if the grandiloquent compilers of our census, instead of expending stores of government paper and ink on rhapsodies of self-glorification about the increase of the people, their wealth and felicity, and in theorising about the causes of mortality and suggesting measures of prevention, which may or may not be valuable, but belong to another province than theirs, would take the pains to supply us with something like materials for answers to these questions, we should be thankful. But it is with humiliation that we are compelled to confess that our ignorance on these subjects is complete. On the division of our land we are in all but total statistical darkness. Yet the materials for ascertaining it are accessible, though not without that expenditure of trouble and attention which mere compilers of figures will so rarely bestow. They prefer multiplying sums to proving them. It is otherwise in neighbouring countries; in Belgium and in France, for example, from whence the Essays of the Cobden Club, of which we have had so much to say, collect and reproduce a very considerable amount of detailed knowledge on these subjects, although the distinction between the number of landowners and of land-parcels is not always correctly remembered, and is doubtless difficult to ascertain. And, unfortunately, our ignorance on this matter is not so absolute but that it has allowed a certain amount of partial and mistaken information to leak out, which has led incautious theorists anxious to show facts in favour of their predetermined judgment against the English land system, into one of the most enormous blunders ever perpetrated by eager controversialists. Since a certain celebrated miscalculation about the quantity of wheat produced in the Government of Tamboff—a blunder, the detection of which really had its effect in helping the Free Trade school in their old struggle—we have seen nothing so grotesquely baseless as the calculation of the number of English landowners partly relied on by Mr. Cliffe Leslie, but assumed without any doubt by the body-guard of Mr. Mill.

'The contrast,' says Mr. Cliffe Leslie, 'between the land systems of France and England, two neighbouring countries at the head of civilisation, may, without exaggeration, be called the most extraordinary spectacle which European society offers for study to political and social philosophy. The English census of 1861 returned 30,766 landowners and 449,261 farmers. The latest official statistics in France, on the other hand, (following an enumeration of 1851, now in arrear of the actual numbers,) reckon no less than 7,845,724 proprietors, of whom about 5,000,000 are rural proprietors.'

Such is the startling contrast with which Mr. Leslie opens his argument. A marvellous piece of statistics indeed, and which would justify almost any inferences, however monstrous, if it rested on substantial grounds. But it so happens that it is absolutely untrustworthy; not an exaggeration or distortion of the truth, but simply a delusion.* It is, as we have said, a very great discredit to our compilers of official figures that it should be so. The number of 30,766 for all the landed proprietors of England and Wales will actually be found in the summary of 'occupations of the people' in the census of 1861. But it is obviously a mere blunder. The reason, it has been suggested, is that the census-takers simply put down as landed proprietors those who so termed themselves in the absence of any other qualification. Members of professions, trades, and so forth, who happened to own land, returned themselves as such, and therefore do not

parish in Dorset by a Land Society to be cut up for sale. A neighbouring attorney bought the house upon it with a parcel of land. The other parcels have not yet found any purchasers.

* This error is pointed out and insisted on in Lord Derby's recent address delivered in Lancashire. In great part of this article we have gone so nearly over the same ground with his lordship, and expressed views so similar, that we might almost be suspected of piracy. But the fact is that these pages were written before his speech appeared, and we can only rejoice in the unintentional coincidence.

appear in the landowners' roll. We cannot tell whether this reason, or apology, is a complete one. It seems to us scarcely sufficient to account for the extraordinary series of attendant blunders, or rather absurdities, which this part of the census exhibits. The 'landowners' are reported as 15,131 males, 15,635 females;* and it never seems to have struck the compilers that any such result (under English law and usage) was self-convicting of error. In a single county (Devonshire) we find 855 male landowners against 971 females. And, which is still more startling, we find that out of the 30,766 proprietors only one hundred and fifty—sixty-five males, eighty-five females—are under twenty years of age! The preponderance of females is plausibly accounted for by the circumstance that they, having no other special description of themselves to offer, are more likely than males to figure as 'landowners' only. But for the impossible paucity of landowners under age, no kind of explanation is suggested. It never seems to have struck the sagacious compilers as a difficulty at all.† This examination of figures, utterly unsatisfactory as it is, suggests to us three several considerations. The first is, the untrustworthiness of those official enumerations on which we are accustomed so much to depend, where they are executed by workmen who seem unable to check by force of common sense the extravagances into which figures run away with them; workmen who do not perceive the necessity of stopping short in a calculation when it is leading them into a ditch, and 'trying back.' The second is, the semi-barbarous state of a community in which a subject of so much importance as the division of the land is left thus in the dark. We have consulted many persons familiar with the management and occupation of land in their respective districts, and have always received the same answer: that neither from observation, nor from local records, rate-books and the like, are they able to form anything like a trustworthy estimate of the movement of landed property towards accumulation or dispersion in their own locality.‡

And, lastly, we have here a most discouraging proof how ready politicians and philosophers, bearing the highest names and relied on by the unlearned as the safest guides, are to adopt, without inquiry, the first statement they can find possessing any semblance of authority, provided it favours some preconceived theory of their own.

We are bound, however, to say that Mr. Leslie is too cautious to swallow, without some misgivings, this wild official fiction, tempting as it certainly is to one of his persuasion. For he adds in the next page:

'It would hardly diminish the contrast of such statistics to our own, were we, in place of less than 31,000 landowners, returned in our own census, to adopt the figure which M. de Lavergne has introduced into his "Rural Economy of Great Britain" on the authority of a statement made to an unofficial member of the House of Commons during a debate—a figure which has often since been reproduced in England on the authority of M. de Lavergne himself—namely, that there are 250,000 owners of land in the country; although it ought to be noticed that there is reason to believe an error respecting the meaning of the technical term "freeholders" was involved in this calculation; and moreover that it includes a number of suburban freeholds, and by consequence an urban, not a rural, class of proprietors, far less actual cultivators of land of their own.'

We must own, for our own parts, to being not a little surprised at Mr. Leslie's disregard for the obvious importance of his correction. We should have thought the 'contrast' very much diminished indeed, if the number of our landowners is to be taken at a quarter of a million instead of 30,000; especially if (as the figures seem to show) that number is equal to the number of our farmers. Enough, however, and more than enough, remains to substantiate the general proposition, which no one doubted, that land among ourselves is far more concentrated in the hands of one class than in France; but far from enough to justify the strange exaggerations on the subject in which Mr. Mill's sectaries are apt to indulge.

One of the fallacies which have been pressed, it is difficult to say how, into the service of the fashionable crusade against large landed properties, is the notion that the political economists proper—that mysterious and unpopular body of men, whose axioms and deductions always stand in the way of eager theorists, just as the science of arithmetic stands in the way of the speculative class of

* Mr. Syme ('Landlordism') goes *tête baissée* into the same trap with Mr. Mill and his followers. 'The total number,' he says, 'of landowners at the date of the last census was 30,766; but this includes the owners of building sites, town and suburban allotments.'

† It has occurred to us, however, as possible, that the cause may be this—that infant landowners are omitted, being represented by their trustees. But it is idle guessing one's way in a mist.

‡ Some appear inclined to believe that the consolidation of landed estates in merely agricultural districts has been more than counterbalanced of late years by subdivision in the neighbourhood of towns and in districts attractive to the spending class. But it is of little use to speculate on these subjects in so melancholy an absence of materials.

financiers—have pronounced themselves in favour of the accumulation of land, by their tenet that rent is a substantial entity, a separate produce of the soil independent of the results of applied labour and capital. It is needless to point out to anyone who has but a smattering of the subject, how entirely this notion is alien from the very habits of thought, let alone the scientific principles, of the school in question. To them, the question into whose hands rent—the sum arising from the difference between the least and most profitable application of capital to the soil—passes, is utterly indifferent. Whether the State gets it as (by theory) in India, or the landlord as in England, or the cultivator as in some countries, or in whatever shares it may be divided (as is in real life the common case between landlord and occupier where that relation exists), their philosophical deductions remain unaffected. Yet the notion has obtained currency with others than mere superficial observers, and (unfortunately) almost always because political predilections have mixed themselves up with considerations of abstract science. There were few clearer reasoners than M. Bastiat, and few more resolute in pushing true principles to legitimate consequences; witness his admirable efforts in the cause of free trade. And yet M. Bastiat never would submit to adopt the Ricardo theory of rent. He fancied it favoured socialism, which it was his vocation to combat. He therefore preferred to call rent by some name which should not lend currency to such evil opinions; to call it the reward of the accumulation of capital, or by some other convenient title disguising its naked 'incivism.'

Now, in citing Sir Henry Maine's recent lecture on 'Village Communities,' we are mentioning the work of a powerful mind, devoted for years past to the strangely dissimilar, and yet mutually suggestive subjects, of Roman jurisprudence and Indian ancestral usages. And yet, with all respect, we cannot but think that Sir Henry, like M. Bastiat, has been seduced by a certain philosophic antipathy to 'landlordism,' and love of what he deems more primitive systems, into rejecting or throwing doubt on the plain doctrine of rent, because the use of its lessons by other people has led to practical consequences of which he disapproves. He is speaking of a celebrated judgment delivered in India in a case between Zemindar and Ryot, in which the (English) judge professed his inability to form any notion of 'rent,' where not defined by law, except as the sum fixed by competition, or rack-rent.

'A farther misleading influence was the phraseology already introduced by the economists. Between customary rents and competition rents they did not fail to distinguish, and would probably not have denied that, as a matter of fact, customary rents were more common, and as a matter of recorded history, were more ancient than competition rents. But still, misled by an error which has of late been very justly compared with a still more famous delusion of the Roman lawyers, they believed competition rents to be in some sense or other more natural than customary rents, and to competition rents *only* they gave the name of rent, unqualified by an epithet. This peculiar, and (as it seems to me) improper selection of a cardinal term is not probably of much importance in this country; but few sufficiently instructed persons, who have followed recent Indian controversies, can have failed to observe that almost all the obscurities of mental apprehension which are implied in the use of Nature as a juridical term, cluster in India round the word, rent.' (*Village Communities*, p. 183.)

'To competition rents *only* they gave the name of rent.' If Sir H. Maine had turned for a minute to the pages of so well-known an author as Mr. Mill, he would assuredly not have hazarded this statement. 'So far,' says Mr. Mill,* 'as rents, profits, wages, are determined by competition, laws may be assigned to them. . . . But it would be a great misconception of the course of human affairs to suppose that competition exercises in fact this unlimited sway.' And he goes on to show that all three, but rent more than either of the other two, are subject to the law of custom rather than that of competition. It is quite true that when he comes to define 'rent' itself (ch. 16), he does so in the technical terms appropriated by the Ricardo theory, and without any reference to custom as its regulator at all. But it is really obvious to anyone who will approach the question without predetermination to set himself in rebellion against the tyranny of the 'dismal science,' that whatever little appearance of contradiction may be thus produced merely results from inadequacy of language to express with perfect precision what all parties mean. The word 'rent' is ambiguous, and, till another is invented, must be used both to designate what the tenant actually pays to his superior holder, and what the land returns *ultrà* wages and profits. It is really too much to expect of the economical reasoner that he shall in all cases introduce the word by a preparatory note explaining in which sense he uses it. *Intelligibilia, non intellectum fert.* It is to these endlessly revived objections, resting on a mere verbal ambiguity, to a theory of transparent plainness, that Mr. Mill no doubt

* Political Economy, ii. 4..

refers, when he calls it 'the pons asinorum of political economy; for there are, I am inclined to think, few persons who have refused their assent to it, except from not having thoroughly understood it.'

And, while we are dealing with Sir H. Maine, we cannot help remarking how another science besides that of political economy—the science of jurisprudence, or rather of its history—has been pressed of late into the service of the popular anti-landlord movement. Sir Henry's labours have thrown so much light on a very obscure part of our domestic history; there is so much of learning in his researches, so much of originality and force of thought in his dealing with them, that it is almost with regret that we feel compelled to signalise what we cannot but esteem partisanship. But, in truth, no study seems more calculated to make partisans than that of ancient constitutional law and the subjects therewith connected. No man seems to take them up in earnest, except with the purpose, either originally conceived or gradually mastering him in the course of his work, of establishing some great predetermined theory—some ruling canon of interpretation, by which the leading phenomena of social organisation may be interpreted and pointed in the way of moral. Look at Mably, Montesquieu, Hobbes, in days of old—Savigny, Kemble, Hallam, Palgrave, Freeman, in our own or recent time—lovers of truth as they all are, there is a vein of preconceived assumption running through each which the careful reader cannot misconstrue. Perhaps the exhausting nature of the labour of those

> 'Who study ancient laws and rights,
> Tongues, arts, and arms, and history,
> Who toil like Selden, days and nights,
> And in the endless labour die;'

could hardly be endured, unless under the stimulus of partisanship to give interest to the labour.

Sir Henry Maine's cardinal doctrine seems to be that of the original joint proprietorship of land, in Western Europe or the Germanic portions of it, by cultivators under the system of village communities. But surely he assumes throughout, unless we mistake him, the most difficult part of his case—the identity of common cultivation with common proprietorship. He believes in the original distribution in this country of the

> 'Arable area always into exactly equal portions, corresponding with the number of free families in the township. Nor can it be seriously doubted (he says) upon the evidence, that the proprietary equality of the families composing the group was at first still farther secured by a periodical redistribution of the several assignments. The point is of some importance. One stage in the transition from collective to individual property was reached when the part of the domain under cultivation was allotted among the Teuton races to the several families of the township; another, when the system of shifting severalties came to an end, and each family was confirmed for a perpetuity in the enjoyment of its several lots of land. But there appears to be no country "inhabited by an Aryan race," in which traces do not remain of the ancient periodical distribution.'

And he proceeds to trace the history of the arable mark of the German as surviving in the common field cultivation of our country, and to recognise in the mutual rights of lords of manors, copyholders, and commoners, relics of the ancient era of common ownership.

In Sir Henry's account of the ancient German mode of cultivation in common, the 'arable mark,' the shifting severalties, and the gradual change which took place as these were slowly converted into separate holdings, we have no objection to concur; though quite aware on what very narrow foundations our German neighbours, on whom he partly relies, are apt to raise their most extensive superstructures of historical theory. But that the same general view applies to the ownership of land as well as to the industrial occupation of land, or in any satisfactory way accounts for that great problem, the institution of landed property, is what we can in no degree believe. The first occupants, who reclaimed waste land from the wilderness, cultivated no doubt in common, and might very probably own in common, according to the notions of property prevalent in their long-forgotten days. Such may have been the case, as the huge forests of Germany yielded gradually to the axe; and when the Slavs, a singularly democratic race, first settled in the central wildernesses of Great and Little Russia. Common ownership and joint cultivation may then have existed together. Nay, the very necessity of circumstances introduces similar usages into communities on which the most ingenious speculator cannot possibly found a communistic theory. The English Puritans colonised New England in times when the institution of individual property was as universal as it is now. And yet the courts of the infant settlements 'assigned lands for cultivation and for permanent possession, and apportioned from year to year the common meadow grounds for mowing.'* They adopted the arable 'mark' and its incidents,

* Palfrey, History of New England, i. 343.

not from ancient prescription, still less from any theoretical objections to the appropriation of land, but simply because a community so circumstanced could not thrive except by united labour, nor be induced to labour jointly except by division of produce. And so, we take it, did their ancestors in Western Europe when Western Europe presented a spectacle resembling that of the seaboard States of the Union two centuries ago.

But when the Saxons settled in England, both the state of society and the notions prevalent among mankind had advanced many a stage beyond that assumed by German antiquaries as prevailing when common cultivation began. Britain had long been peopled, pretty thickly, by Celtic races, of whose peculiar institutions as to property in the soil, 'Aryans' though they are reputed, we know nothing; nor has anyone but the most fanciful reconstructor of the past as yet framed systematic summaries of their polity out of an obscure sentence or two in some old chronicle. But cultivation in common is certainly not very accordant with the Celtic genius, so far as we recognise it in other parts of the world. Then came the Romans, who among all nations had most sedulously cultivated and reduced to the greatest perfection the law and practice of separate property in land. On this state of things supervened the Saxons, who came as conquerors, under armed leadership, at a period of society when armed leaders were very unlikely to dispense with their rights or their usurpations, and (in some parts) in sufficient numbers to dispossess the natives instead of governing them. That, in those parts, the leaders placed their followers on the conquered soil, where the former occupiers had been turned out, and left them to cultivate it after the common fashion of their German ancestors, is probable enough; and the system of 'common fields,' to which Sir Henry refers,* is at hand, we admit, to prove it. But it is just as probable (theoretically) that the occupiers exercised this common right as tenants to a lord, as that they exercised it as joint owners; and it appears to us far more probable historically. It may betoken lack of imagination on our part, but we cannot picture to ourselves Hengist and Horsa coming over the sea for the purpose of establishing a co-operative scheme of village communities in the Weald of Kent, either without a lord or in co-proprietorship with a lord. But farther than mere conjecture it is quite impossible for any sober disputant to go. For some centuries after the Romans left Britain, our materials for real knowledge are altogether wanting.*

To return from this little antiquarian excursion to our own more pressing subjects of investigation: one of the great subjects to which land reformers have at all times directed their attention in England, is the facilitation of the transfer of land. That this is impeded by the artificial condition into which landed proprietorship has gradually developed is matter which admits of no doubt. Entails, settlements, incumbrances, legal expenses, the thousand restraints which impede a land-owner in disposing of his property as he pleases, are all of them impediments in the way of what political economy would designate as the greatest good of the greatest number—the free transmissibility of land, like goods, from hand to hand. We need not dwell either on facts so notorious, or on a principle so generally recognised. There may be still some thinkers who to a certain extent approve of the existence of these impediments, regarding them as useful for the purpose of maintaining old families and keeping together extensive possessions; but such is assuredly not the prevalent opinion of our day; nor need we trouble ourselves to deal with it here. The world is grown too utilitarian in its tendencies, too intolerant of sage restrictions, imposed for artificial purposes, to tolerate devices of this description. To pre-

* 'Sir Henry, adopting the language of Marshall the agriculturist, says that 'there are extensive and open common fields (or were in Marshall's time) in almost all parts of the country.' This seems going beyond the evidence. In the Damnonian region, at all events—the Anglo-Celtic Devonshire and Cornwall—we believe that common-field cultivation has been always unknown. The land is, and always has been, severally cultivated or waste. It is obvious that exceptions such as this bear materially on the problem of the origin of ownership.

* 'Mr. Syme—who takes the same view with Sir Henry Maine—goes in much detail into this question, and proves by a multiplicity of instances his theory that land originally appertained to the state. He tells us that 'in ancient Egypt the soil belonged exclusively to the sovereign;' that 'among the Slavonian races, property in land was not known until recently;' that 'in Peru, at the time of the Incas, there are no traces of individual property in the soil;' that 'land among the Teutonic nations belonged to the tribe;' that to the American Indian, to the New Zealander, the South Sea Islander, the aborigines of Africa, and Australia, the idea (of 'alienation' and consequently of private property in land) is quite incomprehensible. The practical answer, surely, is, that we are not ancient Peruvians, nor aborigines of Australia, and that the notion of private property is, somehow or other, so deeply rooted among us that (even according to Mr. Syme's own showing) stringent agrarian laws, violent interference with freedom of alienation, are required to prevent it from prevailing everywhere.

serve an aristocracy by keeping up solicitors' charges (and, broadly considered, the existing posthumous limitations of property do not result in much more than this), is a plan which will no more succeed in our times than schemes for delaying the apprehended disorganisation of our polity by maintaining rotten boroughs, or by contrivances of cumulative voting. Let us assume, therefore, that we are all agreed with the political economists to press on reforms of this description until land can be transferred as readily as a bill of exchange. Be it so; but what conceivable help will this relaxation of fetters afford towards the creation of a class of small proprietors? If our preceding statements and reasonings are not altogether unfounded—if there is any truth in the views there set forth, that land in this island is to a certain extent a luxury, and growing more so, that it commands a higher price than other articles, that money invested in it is invested at a loss—then no proposition can be more certain than that the accumulation of land will be promoted, not impeded, by the removal of legal difficulties in the way of parting with it or acquiring it. Small proprietors, if endowed at once by some Parliamentary magic with a Parliamentary title, would abandon their patrimonies to engrossing neighbours and depart with the proceeds to seek more repaying investments for their money. Large proprietors would sell and buy more easily, but almost wholly to each other. All this seems so simple a deduction from a few plain premises, that it is difficult to understand how it can have escaped the notice or the assent of writers who deal with the subject in a comprehensive way. But yet we have seen that some, at least, of our champions of peasant proprietorship appear to assume that the removal of restrictions on alienation would have, at once, the effect not only of enabling, but of rendering general, the purchase of small properties by small capitalists—the very last class who, in England, would ever make such investment for purposes of profit.

Mr. Caird thus concludes his description of English agriculture (as quoted by Mr. Leslie);—

'There is one great barrier to improvement which the present state of agriculture must force on the attention of the legislature—the great extent to which real property is encumbered. In every county where we found an estate more than usually neglected, the reason assigned was the inability of the proprietor to make improvements on account of his encumberances. We have not data by which to estimate with accuracy the proportion of land in each county in this position, but our information satisfies us that it is much greater than is generally supposed. Even where estates are not hopelessly embarrassed, landlords are often pinched by debt, which they would clear off if they were enabled to sell a portion, or if that portion could be sold without the difficulties and expense which must now be submitted to. If it were possible to render the transfer of land nearly as cheap and easy as that of stock in the funds, the value of English property would be greatly increased. Those only who could afford to perform the duties of landlords would then find it prudent to hold that position. Capitalists would be induced to purchase unimproved properties for the purpose of improving them and selling them at a profit. A measure which would not only permit the sale of encumbered estates, but facilitate and simplify the transfer of land, would be more beneficial to the owners and occupiers of land, and to the labourers in this country, than any connected with agriculture that has yet engaged the attention of the legislature.' (*Cobden Essays*, p. 341.)

'Such a measure, the owners, occupiers, and labourers of France have long had the benefit of; and the fact that in spite of new opportunities of migration and of steadily rising wages, even the labourer in France is a great land-buyer, proves the profitableness of "la petite culture," as well as the wealth of the very humblest and poorest class of the French peasantry. Imagine the English agricultural labourers great buyers of land and at the same time lending large sums to the State!'

We have nothing to say against Mr. Leslie's somewhat roseate description of the condition of the poorer part of the rural population of France, because our concern for the moment is with England, not with France. But whatever may be the case with the Frenchman, we have no doubt at all as to our countryman of small means, call him labourer, or capitalist, or farmer. Were land offered to him in ever so convenient small parcels, but at its present ruling price, he would, as Mr. Norman shows, not buy it, or he would buy to sell; because he has not the long-implanted tastes, the ancestral earth-hunger, which makes the French peasant almost incapable of imagining any other investment than that to which his forefathers have been so long accustomed; because England being a country of much more varied industry than France, he can much more readily find means of employing his savings more profitably in other employments than can the Frenchman; and, lastly, because he would always have the large proprietor close at hand, or the capitalist who longs to become a man of acres, tempting him with ready money, whereas in great part of France wealthy purchasers are as rare as sellers.

It is time, however, to revert to more im-

portant chapters of this great subject than those which relate to mere philosophical conceptions or antiquarian fancies. We are not among those who share in certain prevailing apprehensions of danger to the right of property; believing that the causes which tend to the maintenance of that principle in its integrity are stronger, upon the whole, in the present stage of society, than those which tend to its extinction or suspension. But, not belonging in any sense to the 'positive' school, and having no fixed opinion as to the progressive course of humanity being confined to this or that particular groove, we abstain from inflicting any general theories as to the future on our readers. Enough for us the fact, that the whole doctrine of property is in our time (as it has often been before) boldly and seriously questioned. Some confine the proposition to the doctrine of 'property in land.' On this point we must take leave to differ from them altogether. We cannot find any real standing-point between admitting the right of property as regards land and as regards other articles of use or enjoyment. We do not admit any sacredness as attaching either to the one kind of property or the other. We believe both to stand on the same footing—that of mere convention or usage. And we are sure that the owner of land has much less absolute control of his own—is more obliged by usage to share the enjoyment of it with others—than the owner of money. But this is no place nor occasion for entering on so wide a disquisition, and we only thus far notice it to prevent our own views from being misapprehended. At all events, we hope, by acknowledging our own full toleration of the views from which we differ, to escape Mr. Mill's condemnation of people who make no allowance for their opponents. 'They have never thrown themselves into the mental position of those who think differently from them, and consider what such persons may have to say; and consequently they do not, in any proper sense of the word, know the doctrine which they themselves profess.'*

Between the determined opponent of the right of property, and the upholder of things as they are, Mr. Mill now assumes the position of arbitrator. And he thus introduces the scheme of mediation which he propounds in his recent Preface to the proceedings of the Land Tenure Reform Association:—

'An active and influential portion of the working-classes,' says Mr. Mill, 'have adopted the opinion that private property in land is a mistake; and that the land ought to be resumed, and managed on account of the State, compensation being made to proprietors. Some of these reformers look with jealousy on any relaxation of the land monopoly, thinking that an increase of the number of landed proprietors would strengthen the obstacles to a general resumption of the land. But even from their point of view, there is another side to the question; since, in a country like this, where there is not, as in Ireland and France, an intense competition among the labouring classes for land (raising it far above its reasonable value), whatever brings more land into the market tends to lower its price, and diminishes the amount of compensation which, if the views of these reformers were to prevail, the nation would have to pay to the landowners.* Meanwhile, so long as land is private property, whatever facilitates its passing into new hands tends to increase its productiveness, and thereby its usefulness to the nation at large, since those among the owners who are least provided with skill, enterprise, and capital, are those who are under the strongest inducements to sell their land. The Society, therefore, *venture to hope* that even the most extreme section of land reformers will not reject this first part of their programme, while they are assured of the support to this extent, of many whose ideas of land-tenure reform go farther.'

Such is the pregnant passage in which Mr. Mill opens to us the leaves of his Sibylline book. Reject this, and a worse thing will come to you. This is the simple meaning of his offer of terms, made with the calm dignity of one who has, or believes he has, the means of enforcing what he threatens or advises. Mr. Mill occupies two distinct positions in our eyes. As a philosophical expounder of political truths, especially in the economical branch, it is not easy to grapple with him, both on account of his power of reasoning and of his high authority with those who cannot perhaps fully apprehend his reasoning. His 'ipse dixit' is quite as imperious with many minds as that of Aristotle in days gone by. But in his other capacity he is much greater still. He is the 'master of legions,' with whom it is unprofitable to argue. 'We' will have it so. We might ask more, but we offer a compromise. Take or refuse at your peril. If you accept, I will at all events do my best to hold my associates to the bargain. If you refuse, I wash my hands of your affairs.

* Essay on Liberty.

* Notwithstanding the high authority under which this proposition is advanced, we cannot accept it without hesitation. It is true that the fact of much land being brought into the market (from whatever cause) must have a tendency to lower its price. But then it is true, on the other hand, that the removal of 'remains of feudality,' that is, the rendering land more easily saleable, would tend to enhance its price. Which tendency would prevail in the present instance it is not so easy to anticipate.

I depart, and my place will be taken by seven spirits worse than myself. I surrender you to the Commune, the 'International,' Mr. Fawcett, and Mr. Frederic Harrison.

For our own parts, we have only one course to follow ourselves, one advice to tender to the doubtful—which is, to keep entirely distinct the theoretical and the practical side of this question. Let us argue on the views of Mr. Mill, his allies and his opponents, as calmly and as abstractedly as if the whole subject were one of scientific truth alone. Let us arrive at that truth to the best of our ability. Let us not be diverted for one moment from the search by suggestions from others, or such as grow in our own minds, as to the inconvenient consequences on public opinion of this or that conclusion, as to the dangers to society which may result from maintaining it. These are matters for secondary consideration—to be sifted in the second sieve through which thought on this subject must pass, if it is to be bolted thoroughly. Let us establish true principles first; study concession or modification afterwards.

And there is one point of view under which the work of opposing mere levelling tendencies has been rendered a little easier in this generation than in the last. Time was, when, in the prevailing radical school of that day, the appeal to numbers was held irresistible. The ascertained sense of the majority was held decisive; not, of course, of what was to be believed, but of what was to be done. 'The greatest good of the greatest number' was held to be, for legislative purposes, what the greatest number pronounced to be the greatest good. It is singular to note how completely the present race of extreme political thinkers have deviated from this time-honoured canon of belief. To satisfy ourselves on this head it is only necessary to read the recent English vindications of the Parisian Commune—we do not mean of its violence and excesses, but of the principle of its usurpation. Its leaders boldly proclaimed the doctrine which minorities in their country had hitherto tacitly assumed. We are not France, they honestly avowed, but we are something better and greater than France. We know that the majority would disavow us, and that if they could they would expel or shoot us: we hold our own against the majority. We claim to do so by virtue of superior intelligence, superior honesty. We claim it because it is the vocation of France to be under laws which shall subject capital to labour, whether France recognises its vocation or no; because we alone can frame such laws, and we alone can enforce them. We have only to refer to what are popularly termed the 'positivist' organs of opinions in this country to show that we have not in the slightest degree exaggerated in our description of these sentiments. We must again abstain from discussing their philosophical value; suffice it to say, that for our own parts we should deem it harder work to encounter a Benthamite than a Positivist in the arena of controversy: though we should prefer the former antagonist if it came to a question of *voies de fait*.

The remedial measures which Mr. Mill proceeds to suggest have been long before the public, and have excited much recent controversy. The first is 'to claim, for the benefit of the State, the interception by taxation of the future unearned increase of the rent of land, which is continually taking place, without any effort or outlay by the proprietors, merely through the growth of population and wealth.' This was already proposed by him, long ago, in his 'Principles of Political Economy.'

> 'Suppose,' he says in that work, 'there is a kind of income that constantly tends to increase, without any exertion or sacrifice on the part of the owners; these owners constituting a class in the community, whom the natural course of things progressively enriches, consistently with complete passiveness on their parts; in such a case it would be no violation of the principles on which private property is grounded, if the State should appropriate this increase of wealth, or a part of it, as it arises. . . . Now this is exactly the case with rent. The ordinary progress of society which increases in wealth, is at all times tending to increase the incomes of landlords; to give them a greater amount and a greater proportion of the wealth of the community, independently of any trouble or outlay incurred by themselves. They grow richer, as it were, in their sleep; without working, risking, or economising. What claim have they, on the general principles of social justice, to this accession of riches?'

Leaving out of consideration matter so controvertible as 'the general principles of social justice,' and confining ourselves to the safer ground of social expediency—regarding property in any form as guaranteed to its owners only for the public benefit—we are not aware that Mr. Mill's reasoning admits in the abstract of answer, or even of discussion. But then, if propounded as a philosophical theory, his scheme should surely, on 'general principles of social justice,' apply to all property alike. On what real ground does the distinction between one class of it and another, for the present purpose, rest? Mr. Mill and his followers assume such a distinction throughout, without the slightest attempt to prove it. Does

not railway property 'tend to increase without any exertion on the part of the owners?' and mining property? and many other kinds of property, which improve, in a flourishing condition of things, merely by partaking in the general impulse upwards? Why should such increase, in the case of land, be confiscated, and left, in other cases, to the enjoyment of the equally undeserving owners? And again, why, in propounding this doctrine, does Mr. Mill speak only of the 'land owners' as a wealthy class apart, such as we see them in England? Does he, or does he not, mean his proposition to be as general in practice as it appears to be in theory? Does he mean that the peasant proprietor in France—the small house and suburban proprietor all the world over—ought in justice and expediency to submit to a periodical overhauling of his accounts, and the deduction from his gains of all which may result from improvements owing to no sacrifice of his own? And, if he does not mean all this, will he find it easy to persuade mankind that his plan—with all its outward appearance of equity—is not, in reality, a crusading movement against one distinct and unpopular class, the large proprietors of this country?

The second remedy suggested is one which—with all respect for the authorities which propound it—really does not deserve more than the slightest passing notice. Mr. Mill is very indignant at the abuses hitherto committed under cover of Inclosure Acts. Common lands have been allotted to the lords of manors without due regard to the rights of commoners. 'The Society regard this disposal of common lands as an iniquity, and demand that it should entirely cease.' That is, we suppose, they demand that Parliament should cease henceforth to legislate in this way, under pain of nullification of its edicts by the Society's idéal Commune, superior to all Parliaments. But, since the Society, or at least Mr. Mill who represents it, is 'willing to respect existing possessions,' it is difficult to see what object it proposes worth all this expenditure of high principle and indignation. The available common lands in this country are now so trifling in point of extent, that the surrender of them all to the public, for distribution among peasant proprietors or otherwise, would be a measure productive only of the most partial and temporary effects. Our still extensive unoccupied tracts of unavailable mountain and moor form a fund of a very different description, but worthless for such purposes as these, so long as a new and accessible world opens its millions of square miles to the emigrant. It would hardly better the condition of Mr. Mill's clients—the landless 'proletaires' as French fancy terms them—to transplant some thousands of them to Skiddaw Forest and the Yorkshire moors, let alone the Scotch and Irish highlands. Mr. Syme, indeed, believes in thirty-two million acres in the United Kingdom lying waste, 'though fully one-half is capable of cultivation.' We doubt whether Mr. Mill—who knows the economical meaning of the word 'capable'—would indorse this hopeful statement.

But it is of little use to discuss the details of a scheme like Mr. Mill's, unless we are quite certain that it is propounded in earnest. If it merely represents an ingenious suggestion which was passed though a mind overflowing with speculation on this and kindred subjects, it were best to decline so barren an investigation. Where Mr. Mill finds his 'active and influential portion of the working classes' who have adopted the opinion that private property in land is 'a mistake,' we really cannot tell. We all know very well that there is a portion of the working classes—how influential it were hard to say, how active the smoking ruins of Paris can testify—who have adopted the doctrine that *all* private property is a mistake. And we all know that there is a certain school of higher-bred philosophers—crotchet-mongers, some might venture to call them—who apply this socialistic doctrine to realty, while, for some reason beyond our logic, they abstain from applying it to personalty. But these, so far as we know, are of a very different class from the advanced politicians among our working men. Where these last are communistic at all, their communism rests on far broader, we might almost say, far more rational, bases. Nothing can be plainer or fairer than the mode in which Mr. Odger, for instance, proposes to deal with Mr. Mill's little plan:—

'While I hold it,' he says, 'to be a more liberal scheme than any I have yet met with from so eminent an authority, I am sure that it would fail, were it set forth as final, to satisfy the people. He suggests the propriety of estimating the present value of the land, and preventing owners in future from exacting a large amount of rental. If Parliament possess the power to do this (and it does), it has the power of carrying out also a still greater reform, at some future date, a reform such as I propose; that is, the restoration of the land to the nation and to the people by purchase. I support Mr. Mill's proposal because it will not only limit the drain upon the people by landlords, but would, if adopted, prevent the amount requisite for making the land national property from being increased by delay.' (*Contemporary Review*, August 1871.)

Such is the natural and inevitable incline on which theorists who begin with the principle that property (in land or aught else) is

'robbery' soon find themselves descending. They advance their principle, and then suggest a compromise; they are met by the scornful answer that compromise with robbery is out of the question, that it is a kind of national compounding of felony, that individual appropriators of the food of the public may be dealt with more or less mildly, according as they show themselves penitent for the sins of their class; but that the system must come down altogether, or not at all; and so we are launched into full 'agrarianism.'

We can pursue a discussion so evidently unprofitable—an attempt to make parallel lines meet, which in the nature of things cannot succeed—no farther. For our purpose we must look at society as it exists. We must recognise that the tendency of our industrial age is towards the accumulation of land; that legislation may indeed counteract this despotically, but cannot, consistently with freedom of action, seriously impede it. The prospect may be a doubtful one; it is certainly to many minds, not an inviting one. None of us who are addicted to political speculation on coming events, none who really desire the maintenance of English comfort and English greatness, contemplate with satisfaction the tokens which multiply in some parts of our country of the concentration of the right to the soil in few hands; and although this is not really more the case in respect of landed than of other property, the phenomena which attend the change are more marked and more menacing. Most of us who are old enough, and who are familiar with the local history of any particular rural district, have traced, and lamented, the disappearance, once gradual, now rapid, of small estates; the rooting up, here and there, of a nest of yeomen and small freeholders or long leaseholders; the absorption, more commonly, of the old-fashioned esquire, with his few fertile fields, his share of pasturage, his cherished little tract of woodland, and his old manor-house rich in traditions, by his great absentee neighbour. More than this, many of us have watched with their own eyes the outward evidences of that change which our decennial census seems to confirm—the actual depopulation of not inconsiderable tracts of country, the shrinking of the village, the disappearance of the knot of cottages, the effacing of the local colour, the consolidation of some little district of varied rural features into a dull tract composed of a few large fields and dotted at great distances with spacious farmhouses. The decayed church-village, isolated in a wide tract of arable, with the site of former streets only indicated by the inequalities of surface which mark the ground plan, is no imaginary picture now, nor confined to Ireland.

Of course we know that there is plenty of compensation to be found, in an economical sense, for the repulsive features of a change like this. But an instinct, stronger than economical reasoning, assures us that it is wrong notwithstanding. A state of satraps and dependents is not a state which can really thrive. The reader may term our language exaggerated if he pleases. Let him make any reasonable correction from his own experience or reasoning. But much of truth, unhappily, will remain behind. And the impression left on impartial minds will, we fear, be this—that though it is difficult to suggest any but artificial remedies for a condition of things produced by subsisting natural causes; though community of property be a dream, community of land, or 'agrarianism,' a mere fallacy—yet, when we have to our own minds satisfactorily confuted all the theories of revolutionists, and established the existing system on a logical basis, the ominous question will recur: Can it last, and what will be its end?

It is a question which the young aspirant in political research and the veteran fanatic are alike ready to answer off-hand; the first confident in that recurring youth of society over which he exults, the other with a faith in theories which the failure of one experiment after another has done nothing to abate. Tamer thinkers than these turn away from the problem with a cheerless sense of inadequacy to deal with it, and a faint reliance on the general principle that problems left to themselves, without injudicious interference or restriction, will settle in the right way at last. We can but patiently enrol ourselves in the latter class; and point out, in the meantime, one important matter in which the ominous tendencies of the existing state of things may to a certain extent work out their own cure, and may possibly be helped to work it out more effectually by extraneous help, without undue interference with liberty.

The English landlord-and-tenant system, to which landholding in all other countries where there is abundance of floating capital, as we have seen, more or less inclines to approximate, rests, as society advances, more and more on simple contracts for the enjoyment of the land by the tenant and the payment of rent to the owner. And it is obvious how greatly this inclination of things is increased by the enlargement of estates. There are, in truth, whole districts in the hands of absentee and non-resident proprietors, or of trustees for such proprietors, in

which, were it not that custom has established a different nomenclature, the tenant might practically be termed the owner, and the owner an annuitant; the agent, who really transacts the business of the estate, gradually assuming the position of an arbitrator between the two. Custom and mutual forbearance have by degrees fenced the naked contract in which the relation began with a growth of recognised usages, until something resembling a joint proprietorship has been established between the two principal parties.

'The trust,' says Mr. Wren Hoskyns (on the English system) 'which the ownership of land brings, as well as its occupation, if these are divided, is enforced by penalties as inexorable as those of natural law. The pressure of the responsibility increases with every step in agricultural advancement, till the rights of one age become the wrongs of another. Modes of settlement, carving out the proprietary interest into a series of limited estates for life, and "in remainder," each in succession barren of power and motive to meet the wants, the improvements, the discoveries of the times, present a very different aspect to the same thing before the rivalry of the farm was a world struggle. The increased energy and activity of the tenant demand the outlay of capital by the landlord before his own can be safely thrown into the partnership; for such the relation practically is in England, and such it must become wherever the English system prevails. The "expenses of land" are the familiar theme of every man of business. Nothing is more common than to hear the wealthy and unfettered fee-simple owner complain of the voracious demands of his landed property for buildings, draining, cottages, and other necessary improvements exacted by the time; and those who give most attention to the debtor and creditor history of their estates are best alive to the fact that landed property has become more like a business than a mere income. It is so, and, in a certain sense, it ought to be so. The soil was not meant for idle enjoyment, even by its unoccupying owner. (*Cobden Club Essays*, p. 115.)

Now it seems to us that as surely as the present state of industry, and of freedom to employ it, tends towards the consecration of the fee-simple of land in few hands, so surely does it tend to render the possession of that fee-simple either barren—a mere right to draw an annuity—or a right to be enjoyed only in partnership with the actual occupier. An incipient co-operative system is created, of which, should revolution keep at a distance, another generation is sure to see a far more extensive development. Call England a community of 30,000 land owners and a million and a half of farmers, and Mr. Cliffe Leslie's indignant view of the situation seems at first sight justified. Call it a community of a million and a half of occupiers and a considerable number of annuitants maintained by those occupiers, and a very different picture is presented to the mind's eye. And yet is the difference between the two suppositions really so very great, and is it not one which tends to continual diminution? And may not imagination, since we are thus far embarked under her seductive guidance, picture to us, at a distance relatively small, the third element entering into this general co-operative scheme—the tiller of the soil, elevated in position by the increasing demand for the services of a more limited number of hands (a paradox, but true) and by the pressure of emigration, becoming by degrees himself comparatively independent; protected not merely by contract, but by usage supplementing contract, and developing into a new partner in the concern.

Is it practicable or desirable to accelerate this process, whereby the occupying tenant is assuming more and more the character of an associate with his landlord, by enactments conferring on him more or less of fixity of tenure? practicable, that is, without mischievously restraining freedom of alienation, and without approaching towards the evils of agrarian legislation? These are questions of extreme delicacy as well as importance, and cannot be taken up in a mere cursory way. Our Irish land law is generally defended merely for Irish reasons—as one called for by the special necessities of an artificially produced state of society. It remains for farther inquirers to examine whether it may not be justified on wider and more cosmopolitan grounds; whether it may not be a sample of codification, called for by the exigencies of the state of things which we have described as characteristic of modern society in wealthy countries.

The exact great palliative of the evils, hitherto indeed more apprehended than real, which threaten the country from the monopoly of so much of her soil in the hands of few owners, might be found in restriction on the present right of tying up property (landed or personal) after death. We do not speak of this as a measure likely to prove of much consequence in an economical point of view, if it were enacted and enforced (which would be a more difficult matter). The restrictions on the free transfer of land which the present law practically imposes are, we are convinced, greatly exaggerated by the impugners of the existing system. When Mr. Wren Hoskyns tells us that 'a far greater proportion of the land of England than is generally believed is in the possession of tenants for life so heavily burdened with settlement incumbrances that they have not the means of improving the land which they

are obliged to hold,' it is almost enough to point to the general aspect of this highly cultivated portion of the earth's surface, in order to convict him of over-statement. Still it must be remembered that every relaxation of the system of settlement, so far as it goes, aids the great cause of free transfer of land, and consequently of agricultural improvement. But it is far less on economical than on political grounds that we think this question one of the most pressing of those which are certain to hold a large share in the speculations of our immediate successors. If property in land is to be maintained at all, and if at the same time society is to assume more and more the democratic form into which it is now growing, we cannot, for our own part, conceive the possibility of our proprietors being much longer allowed to preserve the strange privilege which they now enjoy—unique, we believe, in Europe, except as regards some noble fiefs in regions where that mediæval distinction is still kept up—of carving out future estates on their soil for hypothetical possessors, and 'solemnly appealing,' as it has been expressed, 'from one generation to the next.' We shall be told, no doubt, that this privilege of founding and providing for the maintenance of future landed families is one peculiarly consonant to English feelings and traditions, and valued as highly by the yeoman-freeholder where he exists, and by the creator of a new suburban demesne, as by the peer or the millionnaire. This is to some extent true, but only to some extent; the creation of particular estates by way of settlement, in small properties, is an eccentricity at best; while it is the recognised system of our aristocracy, in so far as that aristocracy is least in accordance with the spirit of the present age, and of that which is fast approaching. We should doubtless be deemed very nearly as revolutionary as Mr. Mill himself, were we to suggest that society would still survive and flourish, wealth would accumulate, and the demesnes of the rich would still continue to adorn the land as they do now, if no disposal whatever of property after death by deed or will were permitted unless absolute, saving only such obvious exceptions as justice and public policy demand, such as life provision for widows and industrial leases. Nor will we back our proposal by humiliating threats, or suggestions that to the choice between this prohibition and an agrarian law we may come at last. We should wish it to be judged on its merits only, and leave to time and to the thoughts of temperate men, the care to remove the prejudices, as for our own part we believe them to be, which at present militate against the diminution of that anomalous and irrational control over the contingent future which British law supposes and encourages.

Art. VII.—1. *Report from the Select Committee of the House of Commons on Legal Education.* 1846.

2. *Report of the Commissioners appointed by Her Majesty to Inquire into the Arrangements of the Inns of Court and of the Inns of Chancery for Promoting the Study of the Law and Jurisprudence.* 1855.

3. *Report of a Meeting held at Lincoln's Inn Hall on the 6th July*, 1870, *with the Address of Sir Roundell Palmer on the Formation of the Legal Education Association.*

4. *Debate in the House of Commons on Legal Education*, 14*th and* 26*th July*, 1871.

We propose to sketch the History of Legal Education in England, hoping possibly to aid the determination of two questions much agitated—namely, whether barristers are now adequately prepared for the performance of their functions; and whether solicitors or attornies are, or are not, now excluded from advantages which they ought to possess and which they formerly enjoyed?

However startling the fact may appear, it is well ascertained that until the reign of Henry III. all the higher judicial offices in this country were filled by archbishops and bishops, abbots, priors, and deans. The advocates who practised in the secular as well as in the ecclesiastical tribunals were exclusively clerical. There were attornies in those days, but no barristers. The clergy did their legal work ably, though not always without censure; but in 1217 they were prohibited by canon from acting in the temporal courts.* The change proved extremely mischievous to the community; important duties which had previously been performed

* Certain of the clergy appear to have disregarded the prohibition. It is recorded of William de Bussy, a learned serjeant, who flourished about 600 years ago, that having been called to account for professional malpractices, he claimed the protection of his holy orders; and to prove his privilege, disclosed the clerical tonsure. Therefore Sir Henry Spelman suggests that the original object of the serjeant's coif was to conceal the tonsure of such renegade ecclesiastics as practised in the secular courts, although interdicted by canon.

by men of skill being now from necessity committed to practitioners at once ignorant and, as it soon appeared, unscrupulous. The chronicles of Henry III. and of his successor present a frightful and marvellous picture of professional corruption and extortion, no less than ten out of the twelve common law judges having been convicted of falsifying records and taking bribes for their decisions. The consequence was that in 1290, moved by the complaints and remonstrances of his subjects, Edward I. issued a commission of inquiry, addressed to his chief minister, Henry de Lacy—the famous Earl of Lincoln—and Lord Chancellor Burnell—the greatest law reformer of his age, rescued by Lord Campbell from oblivion. The Report to Parliament, in the following year, gave a startling representation of the venality and profligacy which prevailed in the profession generally, and in all the legal offices, high and low. A remedy was called for to correct the existing evil. Provision was also required for the future; the country demanding a new race of candidates for the forum and the bench, from which the clergy had for nearly a century been excluded.

To accomplish both purposes, the great monarch then on the throne issued, in the year 1292, *with the sanction of Parliament*, a second commission, which was addressed to John de Metingham, Chief Justice of the Court of Common Pleas (one of the two untainted judges), 'with certain associates,' who are not named. These Commissioners were directed to search throughout the kingdom for respectable and competent attornies, to do the work of the Superior Courts, then fixed at Westminster by Magna Charta; the Commission declaring that the individuals to be selected should alone, and none else, practise before those common law tribunals. The Commission further directed —and here was its most important provision —that students, 'apt and eager,' should be brought up from the provinces and placed in proximity to the Courts. They were to be chosen with discrimination;* their disposal afterwards being left to the decision of the Commissioners, in whom a large authority was vested by the words *de aliis remanentibus, fiat per discretionem*;' a discretion exercised, doubtless with the concurrence, if not by the direction, of Lord Lincoln and the Chancellor, both evidently the moving spirits in the whole affair. The fortunate attornies, chosen to displace and supersede their unlucky brethren, had, we may suppose, on coming to the Metropolis, little difficulty in finding accommodation. But with the young students—the *apprenticii*, as they were called—the case was different. Invited by the State for a State purpose, they had a right to expect from the State the advantages and protection of a collegiate education, known even at that early period; implying chambers for residence and teachers for instruction, in social combination. Hence the *apprenticii* were at once placed in the Inns of Chancery—public offices, which, retaining their ancient designation, are now to be regarded, in the words of Fortescue, as 'the earliest settled places for students of the law;' the germ, in fact, of what Sir Edward Coke calls our English Juridical University.

The design was not merely to raise the intellectual standard of the legal profession, but to open to all classes the principles of that municipal code under which they lived, as distinguished from the civil and the canon jurisprudence, then too much affected by the clergy, and sought to be established by them. The objects contemplated by Edward I. and his ministers are not, indeed, so plainly unfolded by the words of the Commission as by the steps taken almost immediately in pursuance of it, by sundry regal and judicial declarations, and by numerous formal documents and contemporaneous descriptions; all supported by traditions at once uniform, authentic, and venerable.

Towards the close of Edward's reign, following out the scheme of the Government, Lord Lincoln, the first of the Commissioners —a man celebrated for munificence—surrendered his town mansion, with its accompanying advantages, in Chancery Lane, to a body, we are told, of legal professors and their pupils. This fraternity have ever since been distinguished as 'the Honourable Society of Lincoln's Inn,' the first and the oldest Inn of Court.* Here the earl died in 1310, the Society taking its name from his title.

The second Inn of Court, the inner Temple, and the third, the Middle Temple, although of great military or knightly antiquity, did not become legally scholastic till the reign of Edward III.

The origin of Gray's Inn, the fourth Inn of Court, is that about the same period, not precisely ascertained, Lord Gray de Wilton granted to certain legal professors and *apprenticii* a lease of his hostelry in Holborn.

All these bodies, the several Inns of Court and of Chancery, proceeded on the principle of a collegiate scheme, under the constant

* Apprenticii *libentes addiscere.*

* Thinne, a learned antiquarian (praised by Camden), writing temp. Eliz., calls Lincoln's Inn 'the ancientest House of Court, *before the Temple.*'

superintendence and protection of the Crown. During the long reign of Edward III. they prospered. In Richard II.'s time, 1381, they were invaded by Wat Tyler and his followers, who destroyed the Temple Records. In 1450, one of Jack Cade's declared intentions was 'to kill all the lawyers, and pull down the Inns of Court,' which, however, with the Inns of Chancery annexed to them, in spite of some popular reproaches, were resorted to by the most promising youths of the kingdom; the Inns of Court having the senior, the Inns of Chancery the junior, *apprenticii*. It appears indeed that the inmates of these establishments, more especially those of the Inns of Chancery, were not only numerous, but at intervals disorderly. They became in fact formidable by their turbulence to their more peaceful neighbours, the citizens of London. In 1454 a pitched battle was fought between the two communities in Fleet Street. Who chiefly distinguished themselves by their valour on this occasion does not appear; neither can we discover on which side victory was declared. But that the Inns of Chancery cut a prominent figure in the combat is made certain by the fact that the principals of *Clifford's*, of *Furnival's*, and of *Barnard's* —probably ringleaders — were brought to trial, convicted, and sent prisoners to Harford Castle. These incidents, though now ludicrous, are evidence of growth and importance at the time of their occurrence.

Under the sway of the Plantagenets the Inns of Court and of Chancery had acquired a settled constitution and an academic discipline; and it clearly appears that the men turned out by them proved generally the most eminent of the nation. Describing these establishments in 1464, Chief Justice Fortescue (who had very early become a member of Lincoln's Inn) expresses himself thus:—

'There belong to the law ten lesser Inns, and sometimes more, which are called the Inns of Chancery, in each of which there are one hundred students at the least; and in some of them a far greater number, though not constantly residing. The students are for the most part young men. After they have made some progress here, and are more advanced in years, they are admitted into the Inns of Court. Of these there are four; in the least frequented of which there are about two hundred students. In these greater Inns a student cannot well be maintained under 28*l.* a year. And if he have a servant to wait on him (as for the most part they have), the expense is proportionably more. The students are sons to persons of quality — those of an inferior rank not being able to bear the expenses of maintaining and educating their children in this way. Knights, barons, and the greatest nobility of the kingdom often place their children in those Inns of Court, not to live by the profession, having large patrimonies of their own. The discipline is excellent, and the mode of study well adapted for proficiency. Neither at Orleans, nor at Angiers, nor at any other university in France (Paris excepted), are there so many students.'

In Fortescue's description one thing is observable; he says not a word of the attornies, who by degrees became, as we shall hereafter see, the sole and exclusive occupants of the Inns of Chancery. How this came about is a mystery. Having regard, however, to the comparative paucity of the English population when Fortescue wrote, it seems impossible that the students enumerated by him (coming up to 2,000), could have been all of the patrician or even of the equestrian order. On the contrary, the majority were probably poor and humble adventurers, some succeeding and some failing in after life. That merit and ability, however obscure the candidate, were not excluded from the 'Juridical University' is proved by the fact that Sir Thomas Billing, who began his professional studies as an attorney's clerk, became ultimately, in 1740, Lord Chief Justice of England. The eldest sons of the nobility and of leading county families, not intending to practise or even to become members of the legal profession, enjoyed a preference, which gave them direct access to the Inns of Court, without any previous resort to the Inns of Chancery. As to ordinary students desiring instruction for professional avocations, the rule was that their legal education should begin in one or other of the Inns of Chancery, which were under the control of the Inns of Court, and indeed belonged to them, the judges being the visitors on behalf of the Crown.

The students in these Inns of Chancery were of all grades, some contemplating the forum and some attorneyship, while others had an ultimate view to public life in either House of Parliament. Not a few were satisfied with the Inns of Chancery. The young attornies went no higher; while those students who looked to become county magistrates, with merely law enough to meet the exigencies of quarter sessions, rarely ascended to an Inn of Court. Mr. Justice Shallow 'of Glostershire,' and his friend 'little John Doit of Staffordshire,' were both of 'Clement's,' and were both content. Justice Shallow afterwards, on his estate in the country, flattered himself that he was still 'talked of at Clement's Inn.' And Falstaff says, 'I do remember Shallow at Clement's Inn;' show-

ing, we think, that Falstaff himself had been in his day of that ancient society; but most probably with no forensic aspirations.

Whatever might be their rank or derivation, all who looked to the higher departments of the profession, all indeed who intended to work as advocates in Court, must have begun their legal studies in an Inn of Chancery. After going through this indispensable juvenile novitiate, they moved up to, and were entered of, an Inn of Court. They still retained the ancient title of *apprenticii*. Of whom there were three classes: 1. The junior *apprenticii*, all of the Inns of Chancery; 2. The senior *apprenticii*, who instructed the juniors; and 3. The *Apprenticii ad legem*, who after a curriculum of eight years,* and after strict and repeated examinations, were allowed to practise as advocates in the Courts. Men of mark and distinction were appointed *Readers*, who lectured and conducted *mootings* both in the Inns of Court and in the Inns of Chancery. The curriculum treated by Fortescue as venerable had probably existed for two centuries before his publication; and we cannot doubt that he had himself complied with the discipline which he describes with a laudation seemingly grateful. His picture is perhaps too highly coloured, especially where he describes the 'sons of the nobility and gentry' as models of educational obedience. But the account has never been impeached, and has been constantly quoted and relied upon.

In the Tudor reigns, when for all ordinary purposes the English language came exclusively into use, the term *apprenticius* disappeared, and that of *barrister* was substituted. The word barrister was not derived from the bar of a court of justice, but from the bar at which exercises were performed in the halls of the societies. The degree of barrister was not granted by the four Inns of Court acting together as one body, but by each Inn separately, and only to its own respective members.

By this time the attornies had inexplicably acquired possession of the Inns of Chancery, and gradually appropriated to the uses of their business, chambers which had been previously devoted to students. They resisted the jurisdiction of the Inns of Court; and ultimately, without a particle of discoverable authority, asserted a dominion of their own. Very considerable accommodation, however, was still reserved by them for pupils. Their halls, too, were kept open for readings, mootings, and exercises. Accordingly, we find that the original course of study was adhered to by Sir Thomas More, who, having distinguished himself at Oxford, began his legal preparation in 1498 at New Inn (an Inn of Chancery), 'and he afterwards,' Lord Campbell tells us, 'belonged to Lincoln's Inn, where were taught,' his lordship says, 'the more profound and abstruse branches of legal science;' doubtless meaning the subtleties of special pleading and the refinements of conveyancing—the Law of England being the only subject taught. Sir Thomas More was early appointed Reader to Furnival's Inn, where he lectured and conducted mootings with great applause for three years. Lord Campbell affirms that at this period 'the Inns of Court and Chancery presented the discipline of a well-constituted university. Law was systematically taught, and sufficient tests of proficiency were applied before the degree of barrister was conferred, entitling the aspirant to practise as an advocate.' High descent gave no release from the curriculum when the forum was contemplated. Thus Chief Justice Montagu, whose ancestor accompanied the Conqueror, and who himself founded the ducal house of Manchester, was sent when still very young to an Inn of Chancery, and in due time, having been entered of the Middle Temple, was so much esteemed for learning that the benchers appointed him, in 1524, 'Autumn Reader,' and shortly afterwards 'Double Reader,' offices whose importance we can hardly now estimate.

Next comes a lawyer to whom, Lord Campbell says, we still look up with reverence—Chief Justice Dyer. After a successful career at Pembroke College, Oxford, young Dyer was transferred to New Inn, an Inn of Chancery; and thence afterwards, in 1537, to the Middle Temple, an Inn of Court.

By this time, however, the attornies were gradually closing the doors of the Inns of Chancery against students for the Bar, while we find that they themselves betrayed a singular eagerness to become members of the Inns of Court. But in 1557 an imperative order was pronounced by the judges, 'That none attorney should be admitted into the Inns of Court; and in all admissions that this condition shall be implied, that if he that shall be admitted practise any attorneyship, then *ipso facto* he shall be dismissed; but with liberty to repair to the Inn of Chancery from whence he came.' The tone of this order evinces the dissatisfaction felt by the authorities against those who were the objects of it; but it shows, at the same time, that the attornies were then regarded as proper members of the Inns of Chancery, subject, of course, to the trust of their position. Hence, although the order, and another is-

* Lord Campbell's Chief Justices, vol. i. p. 243.

sued in nearly the same terms in 1574, 'by the Queen's Commandment, with the advice of Her Privy Council,' and the judges, gave, we must suppose, great offence to the attornies, they did not venture absolutely to exclude bar-students from their inns, nor did they attempt to impede the Readers in the performance of their duties. Accordingly, we find that Sir Edward Coke, on leaving Cambridge in 1571, began his legal studies at Clifford's Inn (an Inn of Chancery), and proceeded thence, in 1572, to the Inner Temple. In 1580 he was appointed Reader of Lyon's Inn (an Inn of Chancery), where for three years he lectured, Lord Campbell tells us, 'to students of law and attornies with much applause; and so spread forth his fame that crowds of clients sued to him for his counsel.'* In Coke's time there were 747 students in the Inns of Chancery.† But in course of the succeeding half century, the attornies, having acquired a mastery over the Inns of Chancery—the seminary of legal education—though they did not, as we have before observed, actually exclude students for the Bar, yet received them ungraciously (disregarding the benchers' remonstrances), so that on the 8th of November 1629, Sir Matthew Hale having quitted Magdalen College, Oxford, instead of resorting to an Inn of Chancery, solicited admission and was received at Lincoln's Inn *per saltum;* thereby, in effect, terminating one element of the ancient discipline so much approved of by Fortescue and Coke in former times, and lauded so warmly by Lord Campbell in our own. Adverting to the case of Sir Matthew Hale, his lordship observes, 'that the custom for law students to be first entered of an Inn of Chancery, before being admitted of an Inn of Court, seems now to have become obsolete;' adding that 'the Inns of Chancery were by this time entirely abandoned to the attornies.'

The attention of the Government having been at last directed to this encroachment on a public right, it appears that on the 16th April, 1630 (the year immediately following Sir Matthew Hale's admission at Lincoln's Inn), an order was issued by Lord Keeper Coventry and the twelve judges, with the sanction of the Privy Council, commanding that the Inns of Chancery 'should hold their government subordinately to the benchers of the Inns of Court to which they belonged; such benchers being required to survey the Inns of Chancery annually, in order that there might be in them a competent number of chambers for students; declaring also that any attorney, or clerk, or other officer disobeying, should be severely punished.'

We do not find that the benchers did anything to carry this order into execution. The Inns of Chancery were still resorted to by students, probably of both kinds. Sir Bulstrode Whitelock, the great Commonwealth lawyer, says that in his day there were 'eight Inns of Chancery, but in none of them so many students as in Fortescue's time;' showing that these lower hospitia existed then as educational establishments, though reduced in number and mutilated by mismanagement.

The state of things in the Inns of Chancery was, after the Restoration, again brought under the notice of the Government, and on the 18th June, 1665, an order was issued whereby the order of 1630 was renewed by 'the command of the King's Majesty;' the Lord Chancellor and the twelve judges (including Sir Matthew Hale), with increased solemnity, enjoining not only that 'the Inns of Chancery should hold their government subordinately to the benchers of every of the Inns of Court to which they belonged; but, moreover, that the benchers should make laws for governing the Inns of Chancery, as to keeping commons, and attending and performing exercises according to former usage.' The order of 1665 commanded, secondly, 'that the benchers of every Inn of Court should cause the Inns of Chancery to be examined, that there might be a competent number of chambers for students; and that every year there should be an exact survey taken that the chambers allotted for that purpose were accordingly so employed.' These orders were published, in 1666, by Sir W. Dugdale, with the sanction of the Chief Justices Bridgeman and Hale.

This order of 1665 was, we believe, disregarded by the benchers in like manner as that of 1630. They made no 'laws for governing the Inns of Chancery,' nor do we find that they ever instituted the annual inspections so urgently commanded. This, however, is said subject to correction by evidence not yet disclosed. The benchers were perhaps of opinion that the Inns of Court—their chief care—were not likely to gain much by a contest with the managers of the Inns of Chancery, which, after the case of Lord Hale, had ceased to be of necessity resorted to by students for the bar. But this was no adequate excuse; for the benchers, backed as they were by the Government, and supported by the judges, might easily have recovered the Inns of Chancery (a task still open), which formed not only component parts, but were in fact the primary element, of the Legal University. The orders of 1630 and

* Chief Justices, p. 244.
† Lord Burghley; Coll. Pearce, 79.

1665 have never been revoked. They were no secret. They were formally and repeatedly published by direction of the judges, and they raise a question of interest at the present crisis when subscriptions are asked for 'The New School of Law.' Describing the present state of the property abandoned to the attornies, and misappropriated for two centuries, Mr. Clode, a very eminent London solicitor (whose remarks are published by the Royal Commissioners),* informs us 'that every Inn of Chancery has a noble hall, in fine condition, and is as well able now as in Fortescue's time to hold a hundred students each.' Mr. Clode says that 'to preserve the Inns of Chancery as public property, it is essential that they should be secured by Act of Parliament;' and as it appears that there are now but seven remaining,† four, if not more, having mysteriously disappeared, he thinks it not unreasonable to fear that the surviving seven, if not looked after, will also, in the course of years, be lost to the profession.' He is clear that in their 'original foundation they were educational establishments for law students. They are still capable of being restored to these purposes; and few persons will be found to justify the present use made of their funds and advantages;' a remark not perhaps intended as a censure on the present occupants, who merely retain what they possibly may think has come to them legitimately; although no one dealing with such 'privileged and exempted' property, can gravely affect ignorance of the notorious public trust to which it is subject, and by which it is bound.‡

Having said thus much respecting the Inns of Chancery, whose history shows how the attornies contrived to bring about the educational segregation which they now somewhat clamorously deplore, let us examine the career of the superior bodies, the Inns of Court, without further noticing their disobedient subordinates. And here we must look back a little to ascertain the course pursued in 'those four colleges, the most famous of all Europe, dedicated, by the free bounty of our ancient kings, to the preparation of young men to discharge public and arduous functions, as well of the State as of Justice.' §

In the days of Queen Elizabeth each of the four Inns of Court was governed by the Chief Reader and the benchers. The other inmates consisting of sub-readers, utter barristers, inner barristers, and students. There were no permanent or hired officials—no professors—no tutors. The work was done by members selected and advanced for their proficiency. The young student who had quitted his Inn of Chancery, was, after three years' study and discipline, called by the Chief Reader to the Bar of the Inns of Court. In other words he became an *Inner* Barrister or Barrister *of the Inn*, a degree which satisfied him if he had no view to practice. If he meant to follow the profession, he was next appointed an Utter or Outer Barrister; but it was ordered 'that none should be called to the Utter Bar except by the General Ordination Council in term time;' and none were 'admitted to plead in any of the Courts in Westminster, or to subscribe any Action or Bill, unless he were for five years an Utter Barrister, continuing that time in the exercise of learning.' * Utter Barristers were chosen to be Sub-Readers, and next aspired to the Chief Readership, which gave dominion in the Inn while the office lasted. At its close the Chief Reader became, unless otherwise promoted, a Bencher.

As to the exercises, we take the following account from a lecture delivered nearly twenty years ago, by a barrister, now a Bencher of Lincoln's Inn.† The description refers to the Middle Temple; but the course pursued in the other Inns of Court was then, we believe, substantially the same:—

'For educational purposes, the year was divided into moieties. The Benchers appointed a Chief Reader and four cupboard-men (so named from the cupboard, a sort of rostrum in the middle of the hall), to do duty for the first half year, from the beginning of Hilary Term to the end of Easter. They appointed another Chief Reader and four cupboard-men to perform the like duty from the beginning of Trinity to the end of Michaelmas. In Term time the members were supposed to be engaged for the earlier part of the day in the Courts at Westminster. Exercises, therefore, were deferred till after dinner and after supper. On the Mondays, Wednesdays, and Fridays mootings were maintained, under the superintendence of the great functionary, the Chief Reader, and three of the Benchers. These mootings consisted of feigned cases thrown into the form of pleadings which were opened by a student, and followed up by an Utter Barrister. The debate was then taken in hand by the cupboard-men, with whom, likewise, the Benchers contested. And finally, the

* Report 1855, p. 295.

† The seven Inns of Chancery still remaining are—one belonging to Lincoln's Inn, namely, Furnival's; three belonging to the Inner Temple, namely Clifford's, Clement's, and Lyon's; one belonging to the Middle Temple, namely New Inn; and two belonging to Gray's Inn, namely Staple and Barnard's.

‡ See Attorney-General *v.* Morgan, before Sir John Leach and Lord Eldon, 2 Russ., 306.

§ Royal Charter of 13th August, 1609.

* Order of 1574.

† Mr. Macqueen, Q.C.

Chief Reader himself, high over all, closed the discussion by delivering his opinion. The avowed object of these exercitations was to promote the faculty of ready speaking. At the close of Hilary Term the Chief Reader was to prepare for the delivery of his Lent Lectures, technically called his Vacation Readings. He was also to provide the means for the ceremonies and festive entertainments. And this last was the most serious part of the business; for he was obliged, or expected, to maintain great state in the Inn. While delivering his lectures he kept open house in the Hall, and out of his private purse defrayed all the charges. Dugdale tells us that in ten days one Chief Reader spent 600*l.* in feasting his visitors —an enormous sum, if we consider the then value of money. He feasted nobles, prelates, ministers of State, judges, royal favourites, court parasites, and civic functionaries; in short, all who by their good word might advance his interest or exalt his reputation. But, it will be asked, what induced the Chief Reader to sustain this formidable outlay? The answer is, the office, in the first place, was the only channel to the Society's Bench. This, however, was but a small part of the advantages expected from it. The Chief Reader had not only the first rank in the Inn, but had precedence in Court the moment his appointment was notified to the judges. He had the privilege of calling students to the bar of the Inn; and from his class were chosen the Judges, the King's Attorney-General and Solicitor-General, as well as the King's Serjeant; to say nothing of the inferior, though lucrative, offices of Attorney-General to the Court of Wards and Liveries, and Attorney-General to the Duchy. So says Dugdale. The Vacation Readings following Trinity Term generally lasted about a month. The Chief Reader, before commencing operations, withdrew from the public eye for some time, in order to enhance the effect of his reappearance. On a given Sunday he disclosed himself in the Temple Church, attended by a retinue of friends and admirers; a sub-reader bearing his train, an utter barrister carrying his bag, and sixteen servants in livery swelling the procession. On the following Monday in the morning, he repaired to the Hall, where the Society were assembled; and they all had breakfast together, the Chief Reader presiding. The proper business of the day began by an announcement of the subject selected for commentary. This done, the Chief Reader delivered his prælection. But here again it would appear that he was not only to lecture and expound, but to conduct disputations; for no sooner had he finished his reading than the cupboard-men fell to work, impeaching his conclusions, right and left, the judges and serjeants joining in the fray; until at last the Chief Reader himself vindicated his own opinions, and, for the time, put an end to the discussion. At this stage, dinner was served. That meal over, the debate was revived by one of the indomitable cupboard-men, who forthwith challenged the Chief Reader to discuss with him his cases. Other combatants followed; and again, as before, the Chief-Reader interposed to finish the debate, which he invariably did by giving judgment in his own favour, and demolishing his antagonists. The repast of supper was then announced, "and so," says Dugdale, "that day's exercise was terminated." In the ensuing Easter Term the same Chief Reader again predominated at mootings, in like manner as he had previously done in Hilary; and as the reward of his services (supposing nothing more advantageous to have been offered to him) he became a Bencher of the Inn, not by election, but of right. In Trinity Term the second Chief Reader succeeded, and pursued a career precisely corresponding with that of his predecessor. So that it must frequently have happened that two Chief Readers were each year advanced to the government of the Society.'

The Mootings had much to recommend them. They imitated the real business of the Courts, gave practical instruction, and instilled self-possession; affording also the most legitimate of all opportunities for showing the capacity of those who, as matter of discipline, were obliged to come forward. These exercises (freed from their ancient ostentatious formalities) might again be made useful. In this opinion we are fortified by Mr. Lowe,* who thinks that 'the old system of putting cases might be revived with great benefit.' As to the readings or lectures, we cannot speak with certainty; though the discussions which followed them must have been enlivening and attractive, and for that very reason beneficial. But pompous revels, originating in monkish observances, brought ridicule and odium on the Inns of Court. The Puritans, especially 'the bigots of the iron time,' were offended. The benchers themselves, though divided in opinion as to the policy of maintaining these ancient recreations, at last put an end to them. But this was not all. Whatever may have been the cause, it is certain that other and much greater changes, some extremely mischievous, took place during the 'Troubles,' and under the Commonwealth. Cromwell cared little for the law, and less for the Legal University, an institution essentially monarchical. The regal patronage ceasing, chief-readerships were no longer sought, and were discontinued. Sub-readerships shared the same fate. Lectures, mootings, and exercises became farcical formalities. Utter barristers, whose long curriculum of eight years was felt to be oppressive, vanished from the scene, and left their work to the inner or junior barristers, the barristers of the Inn, who thereupon became barristers of law, their present designation.

* The Chancellor of the Exchequer, Report of 1855, p. 134.

The students were left to themselves. The old course of tuition, which had matured so many men eminent in the law and in political life, fell into disuse, the benchers providing no substitute for that which they suffered to expire, if they did not actually extinguish it. Lord Chancellor Clarendon and Sir Matthew Hale did their best to revive the ancient discipline, but they failed.

The benchers no longer came in by right as chief readers, but were chosen by the Council. Men of mark and standing in the profession were selected—practical men, who joined for social purposes—men who thought little of legal education, and had done nothing to promote it. In 1670, Mr. North (afterwards Lord Chancellor Guilford), having been appointed 'one of the King's council, learned in the law,' when about thirty years of age, claimed to be made a bencher of his inn—the Middle Temple. His application was refused, the benchers responding that 'if young men by favour preferred came up straight to the bench, and by their precedence were allowed to top their more ancient brethren, the constitution of the Society would be destroyed.' These objections the judges (of whom Sir Matthew Hale was one) overruled—telling the benchers as they came before them that 'until they had done their duty by calling Mr. North to their bench they must not expect to be heard in His Majesty's Courts.' The benchers gave way, and we think wisely; for when they talked of their constitution, they forgot that they had themselves shaken it severely; otherwise their answer to Mr. Norton would have been triumphant. They might have told him 'that he had not performed the duty of chief reader, and therefore was not entitled to the honour which he claimed.'

Looking at the composition of the bench, we think it probable that at this period a doctrine was invented, which has still some supporters, who affirm that barristers ignorant of law can do no harm to the public, since no one will employ them. This plausible theory goes deep into the history of the Inns of Court for the last two centuries, and explains the benchers' conduct. They held that a barrister's education was entirely his own affair. They furnished him with dinners, but they supplied no instruction, nor did they inculcate any study or discipline. One of their first duties was to look after their libraries—scantily furnished as we know they were with books. When the Act of Queen Anne, 'for the encouragement of learning,' was passed, the benchers had an opportunity, never likely to occur again, for doing good service and securing a lasting benefit to the Inns of Court. By that statute eight bodies, including the Edinburgh Faculty of Advocates, were empowered to exact for their respective libraries, copies, 'upon the best paper,' of all works published after March 1710. Of the favoured libraries three were English and five Scotch. The benchers were on the spot;—they did nothing, they asked nothing, and they got nothing. Yet each of the Inns of Court had its ancient separate library. That of Lincoln's Inn dates so far back as 1552. In 1857, it had only 28,000 volumes; whereas the vigilant advocates of Scotland had by that time secured under the statute no less than 172,000 volumes, embracing every branch of science, philosophy, jurisprudence, literature, and the arts.

The inattention or lethargy of the benchers on this and other occasions, springing partly from the doctrine of 'harmless ignorance'* to which we have referred, and partly from an erroneous fancy entertained by some of them that they were voluntary bodies, having no duty to perform,—gradually gave rise to an impression, not yet displaced, that four divided bodies, without a head and without superintendence, were scarcely fitted, however pure and untainted, to conduct adequately the functions, or to secure adequately the objects, of a Law School—to say nothing of a Legal University.

In 1727, all that the benchers required of Lord Mansfield when a student at Lincoln's Inn, was that he should dine in their hall five days each term for three years. A sort of exercise was still kept up, consisting of but six words:—'I am for the widow's dower'—uttered by the young candidate standing at the bar table, and always rewarded by a good-humoured recognition and a condescending smile from the seniors. Discipline had utterly disappeared, although two or three sub-readers were still nominally continued, the performance of their duties being satisfied by the payment of a fine. Mr. Justice Blackstone, who in 1740 became a student at the Middle Temple, tells us that 'all sorts of regimen and academical superintendence, either with regard to morals or studies, were found impracticable in the Inns of Court, and were therefore entirely neglected.' That they were found 'impracticable' we disbelieve; but that they were 'entirely neglected' seems redundantly established by evidence.

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* It appears that the late Mr. O'Connell went so far as to say that 'even if disreputable persons were called to the Bar, the public would suffer nothing; the public not being compelled to employ them.' (8 *Law Mag.*, p. 135.)

It was at this period that Blackstone, having formed the design of reducing into system the Common Law of England, prepared lectures, which afterwards formed the basis of his great work. In 1753 he delivered his first course at Oxford, and was elected Vinerian Professor. His lectures soon became so celebrated that he was requested to read them to the Prince of Wales (afterwards George III.), but being then engaged with a numerous class of pupils he declined the honour. Blackstone was greatly patronised by Lord Mansfield, who wrote for him the *equitable* portion of the Commentaries—a fact which shows that his lordship favoured this method of instruction, which the benchers would seem to have repudiated.

Until the middle of the last century, the only mode of preparation for the Bar was by voluntary private study, and by vigilant attendance in the Courts; young men, before their call, taking generally a year's practical instruction in an attorney's office. Lord Thurlow followed this course, and also the Poet Cowper, in 1753. But soon afterwards the system of *pupillising* with barristers came into vogue, and has ever since been followed. Thus Lord Erskine commenced his legal career, first as a pupil with Mr. Buller, and afterwards with Mr. Wood, both eminent special pleaders, who in time became judges. Pupillising, which has much to recommend it, though entirely without aid from the benchers, is now almost constantly observed, scarcely anyone coming to the Bar with a view to practice who has not been for two or three years in the chambers, successively, of a special pleader, a conveyancer, and an equity draughtsman, the instruction being derived less from tuition than from work and observation. But here we must remark that although 'pupillising' has been described 'by Lord Cairns* as a most useful introduction to the actual routine of business,' the Commissioners of 1855 report their opinion that 'the system of practical study in a barrister's chambers affords no facilities for the study of the scientific branches of legal knowledge, including under that term constitutional law, legal history, civil law, and jurisprudence,' properly derivable from lectures and examinations. This consideration the benchers inexplicably overlooked, although the consequences were pointed out by Blackstone, who says that 'as young men of rank and figure' could not get what they required in the Inns of Court, they 'retired to their estates, or visited foreign kingdoms, or entered upon public life, without any instruction in the laws of the land.' Although 'pupillising' proved successful, it furnished no adequate excuse for the benchers, whose apathy was censured severely in a work published in 1780, by Mr. Cunninghame, a member of the Bar and a well-known legal writer, at the request, he tells us, of 'certain members of Parliament, who desired to remedy the abuses of the four Inns of Court and of the nine Inns of Chancery.' The principal grievance alleged was that the barristers were called without examination, and occasionally by collusion. Even the judges did not escape impeachment; for they were charged with admitting attornies 'to increase the business at their chambers,' the remuneration of judicial services not then wholly depending as now upon salary.

During the Chancellorships of Lords Thurlow, Loughborough, Erskine, Eldon, and Lyndhurst, little or no encouragement for the improvement of legal education was held out. The inertness of the benchers continued. They provided no instruction for their students; but called them punctually to the Bar upon proof of the stipulated dinners. The cessation of discipline had now lasted for nearly two centuries, yet no one found fault with the benchers, although jokes at their expense were occasionally uttered with reference to the dinners and the 'exceedings.' That some barristers were unskilled in the law and ignorant of practice is undeniable; but that there was an abundant supply of *able* barristers is no less certain. They were all unapproachable except by intervention. The attornies, now called solicitors, must first have been resorted to, and they advised as to the selection of counsel. Their own duties too were important; for the solicitor had often to act in critical matters without advice, and subject to a responsibility from which barristers are free. And the truth is that the qualifications of solicitors, from the necessity of employing them, are in ordinary transactions more serviceable to the community, and their defects more pernicious, than those of the barristers. For the public good, therefore, as well as for their own advantage, the solicitors in 1833, much to their credit, established three lectureships in London upon law. They soon afterwards commenced 'examinations,' and founded their 'Incorporated Law Society.' They have now a most useful library and a hall for readings. This Institution, supported by voluntary subscriptions, has proved of unspeakable benefit to the solicitors themselves; but more especially to their articled clerks, who come up annually from the pro-

* Comm. Rep. of 1855, p. 137.

vinces to complete their professional education.

In the wake of the solicitors, but falling greatly short of their performance, the benchers of the Inner Temple, in the same year 1833, made an attempt to establish voluntary lectures, which were given by Mr. Austin, on Jurisprudence, and by Mr. Starkie on Common Law. The experiment failed, although the lecturers appointed were both of the first eminence; and the reason of the failure, Sir Roundell Palmer observes, 'it is not difficult to see. There was no organised system of which the lectures were a part; no stimulus applied to compel the students to go to them; and no system of examination dependent on them.' There was, moreover, the want of combination, or rather the dissent, of the other three Inns of Court.

It was not till the year 1845 that the benchers of the four Inns of Court, seeing the progress of the solicitors, were at last roused from their long lethargy by Lord Westbury, then leader of the Chancery Bar, and by other distinguished members of the legal profession, who combined to establish, under the government of all the four Inns of Court, a rational system of legal education. Four lectureships were accordingly set on foot—one on Equity at Lincoln's Inn, one on Common Law at the Inner Temple, one on Civil Law at the Middle Temple, and one on Conveyancing at Gray's Inn. In the meantime a committee of the House of Commons, after an elaborate investigation,* reported that 'the four Inns of Court should form a species of Law University, the institution to be sought in the application of establishments having ancient privileges, large accommodations, ample funds, and venerable associations.' Encouraged or impelled by these stimulants, the benchers, again at the instigation of Lord Westbury, collectively assembled in 1851, 'to provide for the better instruction of students;' and the result was the formation of a 'Council of Legal Education,' under whose auspices six readers were appointed, and are still continued, namely, one reader on Jurisprudence and Civil and International Law, one on the Law of Real Property, one on the Common Law, one on Equity, one on Constitutional Law and Legal History, and one on Hindu and Mahommedan Law.†

Complying with an Address from the House of Commons, a Royal Commission was issued in 1854, 'to inquire into the arrangements of the Inns of Court, and also into those of the Inns of Chancery for promoting the Study of the Law and Jurisprudence; the revenues properly applicable to that purpose; and the means most likely to secure a systematic and sound education for Students of Law, and to provide satisfactory tests of fitness for admission to the Bar.'

The Commissioners were Lord Westbury (then Chancellor), the Chief Justice of England,* Mr. Justice Keating, the present Lord Chancellor, Sir John Coleridge, Sir Joseph Napier, Sir T. Erskine Perry, and Sir John Shaw Lefevre; who reported that 'as regarded the intellectual qualifications and professional knowledge of a barrister, there was not such security as the community was entitled to require.' Several witnesses were examined before them, among others, Mr. Lowe, the present Chancellor of the Exchequer, who gave it as his opinion that 'the Inns of Court, as a University, were in a state of decay;' but that they might recover as the University of Oxford had done in the beginning of the present century. Mr. Lowe urged the necessity of examinations for practising barristers, at the same time remarking that every English gentleman, 'who is independent, and whose time is at his own disposal, should be educated in law.'

Sir Roundell Palmer, commenting on the Report of 1855, makes the following observation as to the evidence:—

'With regard to what has been done in 1851, Mr. Maine, at that time one of the readers, said it had been successful so far as its inherent defects had allowed it to succeed; those defects being, first, its want of systematic character; and, secondly, the absence of compulsory examination. He (Sir Roundell Palmer) very much agreed with this view. The opinion of Mr. Maine was, he believed, shared by every one of his colleagues except the late Mr. Lewis, the eminent man he had before referred to.† The same opinion was expressed by Mr. Broom, Mr. Birkbeck, Mr. Walpole, and by the late Mr. Phillimore; and Lord Cairns, although not one of the lecturers, and although giving evidence rather strongly in favour of the ordinary way of acquiring knowledge by reading in the chambers of a barrister or conveyancer, still expressed his concurrence very decidedly in the opinion that to make the system what it ought to be, compulsory examination was absolutely necessary.'

In order to present both sides of the question, we extract the following important remarks from the Evidence of Lord Cairns,

* Report of 1846.

† Indian students flock to Lincoln's Inn, where Sir Edward Ryan kindly watches and protects their interests.

* Sir Alexander Cockburn.

† Mr. Lewis lectured and conducted mootings on conveyancing for several years with great success at Gray's Inn till 1852. He was against compulsory examinations.

who was then, in 1854, a young but eminent member of the Chancery Bar:—

'It has occurred to me that it would be possible to effect a system of legal education connected with the Universities of the country—Oxford, Cambridge, and Dublin. I do not think that London is the best field for anything that assumes the form of a collegiate education. When young men come to London their great desire is to get on as fast as possible in order to be called to the Bar. When the general education of a young man is finished, and he devotes himself to the profession of the law, the course of study should be exclusively special. During the time he is in the chambers of a barrister, his attention should not be distracted. It is as absurd to think of any one practising as a barrister without special training in chambers, as it is to think of anyone practising surgery without walking the hospitals. I would allow a legal degree at the University to stand in the stead of a compulsory examination. The person who obtained the highest reward, and those who came up to a certain standard of merit, should be exempted from a compulsory examination when called to the Bar. I would trust that the energy and ability which enabled any person to obtain a legal degree with a certain standard of merit at college, would be a sufficient guarantee to the Inns of Court that he would also have technical knowledge when called to the Bar. I would have compulsory examinations for those who are not members of the University who have not come up to the required standard.'

The Commissioners gave it as their opinion that 'the four Inns of Court should be united in one University.' They made important suggestions as to examinations compulsory and voluntary; but we do not find that they recommended or prescribed any specific course of educational training. Lord Cranworth, then Chancellor, did not agree with the Commissioners as to compulsory examinations for the Bar. He refused to carry out their scheme, which he apprehended would diminish the resort of students to the Inns of Court, altering their ancient character and rendering them purely professional establishments. Lord Cairns, in 1863, moved a resolution at the Bench of Lincoln's Inn, that it would be expedient 'to create a Legal University, to which the various Inns of Court might be affiliated, and through which legal degrees might be conferred and discipline exercised.' The resolution was carried, and communicated to the other Inns of Court, but no result has followed.

By the Consolidated Regulations of 1869, whoever desires to become a barrister must be admitted into an Inn of Court, and must show a certain amount of literature before he can be received. It is enough that he has passed a public examination at any of the Universities. But if he have not done so, an examination will take place to ascertain that he is acquainted with the English and Latin languages, and with English history. He must declare, and it must be certified, that he is not an attorney, solicitor, writer to the Signet, writer of the Scotch Courts, notary public, parliamentary agent, or clerk to any legal functionary. No other interdiction appears; but two barristers must certify that the candidate is 'a gentleman of respectability, and a proper person to be admitted into the Society.' If he be a member of one of the English, Scotch, or Irish Universities, he may keep terms by dining in Hall three times in each term. But if he is not a member of such university, he must dine six times in each term; and it is imperative that he 'be present at the grace before dinner, during the whole of dinner, and at the grace after dinner.' There being four terms in each year (Hilary, Easter, Trinity, and Michaelmas), he must keep twelve terms before his call to the Bar. In other words, he must be for three years on the books of the Society. He must, moreover, 'during one whole year' attend lectures, or be a pupil in the chambers of a barrister, or satisfactorily pass a general examination. Any one of these three distinct and independent essentials being satisfied, he is, on attaining the age of twenty-one, 'eligible to be called to the Bar.'

The most important of all the regulations is one which appoints 'general examinations' to take place twice a year, to be conducted by two members of the Legal Council, with the readers, who are authorised to confer studentships of fifty guineas, and exhibitions of twenty-five guineas each, per annum, for three years, on those who propose themselves for such examination, and make the best appearance on the occasion. Such are the rules of the 'Legal University.' The lectures need not be listened to. The pupilisation may be a mere form; and the examinations may be without any curriculum of study. The dinners alone are compulsory and fortified by tests. This system presents, it must be owned, a remarkable contrast to that established in France, Italy, and Germany, where the law student has to go through a University course of four years with periodical examinations before his call; and a further stage of two years in the atmosphere of the Courts before entering into practice as an advocate.

The past history, now closed, of the Inns of Court demonstrates, as we have said, that they are public institutions. Their present attitude establishes the same conclusion. Bodies which confer public status and grant public degrees must themselves be public,

and act by State authority. The Inns of Court have enjoyed and exercised these high powers for more than five centuries, without challenge and without objection. To a great national and learned profession there is no access but through them. They alone can constitute the barrister, who instantly on his call, whatever may have been his previous rank, becomes an esquire; and has the exclusive privilege of pleading for others in the Courts at Westminster, without any responsibility to clients.* From his class, moreover, the legal advisers of the Crown and the judges of the land are chosen. Having the power of creation, the generators of this favoured functionary have also the power of extinction. They can disbar and degrade the barrister for misconduct. To say, therefore, as some have said, that the Inns of Court are so many accidental clubs or voluntary associations formed by private compact, and liable to disunion at the volition of the parties, seems inconsistent, not only with the rights which these bodies enjoy, but also with the rights which they confer. The Commissioners of 1834 remark that 'the immunities of a voluntary society ought not to be allowed to any body of persons claiming to be the medium of admission into one of the learned professions'—evidently showing that they regarded the Inns of Court as public institutions, without actually describing their character. But when we remember the opinions of Chief Justice Fortescue, and of Sir Edward Coke (the one writing in the fifteenth century, the other in the seventeenth), both pronouncing them 'Universities'—when, moreover, we read the Charter of James, which speaks of 'those four colleges, the most famous of all Europe,'—it seems unnecessary to repose on that unity of time and place which concurred in their establishment, or on that similarity, or rather that substantial identity, of constitution and government, which has so long distinguished them; demonstrating, we conceive, irresistibly, that they were originally no private work, or jobbing speculation, but a great, a wise, and a national contrivance, required at the time, and worthy of their founder—our English Justinian.

Their progeny, the barrister, is not merely a forensic advocate, possessing exclusive privileges and immunities, but a sworn public officer, and, as Lord Langdale affirmed, a minister of justice bound to assist the Courts, when he can, with advice and information. He has been described somewhat fancifully as 'a priest in the temple of justice,' having, indeed, stepped into the shoes and inherited the garb—let us say also the virtues—of the ancient clergy, his predecessors. The judges have a right to his aid, and are wrong when they dispense with it, especially in the higher tribunals. Very recently Lord Hatherley, speaking from his experience in the Shedden and other cases, where the parties themselves addressed the House, observed that 'their lordships had a right to be assisted by counsel, so as to have cases argued in the best possible manner.' Upwards of thirty years ago, Lord Langdale, then Master of the Rolls, expressed the 'sense he entertained of the truly honourable and important services which counsel constantly performed, as ministers of justice, acting in aid of the judges before whom they practised.'* His lordship on the same occasion laid it down that 'no counsel supposes himself to be the mere advocate or agent of his client, to gain a victory on a particular occasion. His zeal and arguments are qualified, not only by considerations affecting his own character as a man of honour, experience, and learning, but also by considerations affecting the general interests of justice.' Mr. Shaw Lefevre† tells us that in France an advocate is not at liberty to 'appear in a case which he knows to be bad.' This reminds us of the question put by Boswell to Dr. Johnson, and the wise answer, which seems to have governed the etiquette or practice of the English Bar: 'You cannot know whether a case is good or bad till the judge determines it.' Lord Brougham, defending Queen Caroline before the House of Lords, affirmed that 'an advocate in the discharge of his duty knows but one person—his client; to save whom he must not regard the alarm, the suffering, the torment, or the destruction which he may bring upon others. Reckless of the consequences, he must go on, even though he should involve his country in confusion for his client's protection.' It would appear that reflection and the lapse of time produced no change in his lordship's views on this subject; for in November, 1864, addressing the English Bar assembled in the Middle Temple Hall at the Berryer entertainment, Lord Brougham reannounced his opinion, often communicated to his friends in private, that 'the first great duty of an advocate is to reckon everything subordinate to the interests of his client.' But this sentiment was instantaneously and emphatically, though most courteously, contradicted—we must say corrected—by the Lord Chief Justice of England, who declared 'that the arms which an advocate wields he ought to use as a warrior, not as an assassin.

* Comm. Rep. 1855, p. 13.

* Keen, p. 668.

† On the Discipline of the Bar, p. 29.

He ought to uphold the interests of his clients *per fas*, but not *per nefas*. He ought to know how to reconcile the interests of his client with the eternal interests of truth and justice.'

But it must also be borne in mind that the solicitor is an object of much interest to the public, who derive the greatest benefit from his services. He can distinguish himself only by useful, quiet, and unambitious respectability. He is, however, much older than the barrister. He figured before the Inns of Court were dreamt of; and while society lasts he must continue. The business of life cannot go on without him. It is surely, therefore, indispensable that this gentleman, in whom everyone confides, should stand well and even high in the social scale. Why should he not be on a par with the writers to the Signet and solicitors of Scotland, 'who have,' Mr. Forsyth tells us,* 'a degree of honourable respectability not surpassed and not equalled in other countries'? In the 'Heart of Midlothian,' Sir Walter Scott, himself the son of a W. S., and an apprentice to his father, describes 'two dashing blades,' the one an advocate, the other a 'writer' or 'law agent' (according to the Scotch nomenclature), both travelling together on the circuit; 'lively young men in the hey-day of youth and good spirits, playing the part which is common with the higher classes of the Law in Edinburgh.' Now does any harm arise from this absence of demarcation in Scotland? Does the Scotch Bar suffer? We believe that such an idea was never entertained in that country. Some of Sir Walter Scott's most intimate friends through life were writers to the Signet, although he himself, without finishing his apprenticeship, resolved to become an advocate. The Scotch Bar, as Lord Brougham said, 'is a Bar justly celebrated, perhaps beyond the Bar of any other country, not only for legal accomplishments, but for science and literature.' Yet no one who knows the 'Parliament House' will fail to acknowledge that the intercourse there observable between counsel and agent is easy—and even intimate—but perfectly consistent with the relative position of the parties. In England, we are pleased to see that the solicitors are moving upwards; some beginning their career at Oxford or Cambridge—then serving their clerkships—and finally going 'into the chambers of a conveyancing barrister, or special pleader for six or twelve months; so that the necessary cost of an attorney's education is considerably larger than that of a barrister.' † This being so, we ask, is it reasonable, that solicitors and their articled clerks, paying their fees like other students, should be absolutely excluded from the lectures of the Inns of Court? The Judges have to satisfy themselves as to the fitness of all persons applying to become attornies and solicitors; who, accordingly, have to pass two strict examinations; and yet they complain that their means for obtaining professional education 'are extremely scanty and imperfect.' The benchers can easily remedy this evil; and by so doing, they will not injure but benefit the Inns of Court, which exist, as Sir Roundell Palmer observes, 'only for the public good.' At the Edinburgh University law students of every kind are instructed in combination; as was the case in England when Fortescue and Gascoigne studied with Billing, the attorney's clerk (afterwards Chief Justice), in the Inns of Chancery—initiatory education being the same for both branches of the profession; thus giving youths the best opportunities for deciding wisely, from observation and comparison, whether they shall become ultimately barristers or attornies. Why, in legal studies, should there be a segregation unknown in any other profession, and why in England should there be a segregation unknown in any other country?

Several eminent provincial solicitors issued an address in 1868, proposing the establishment of 'a Legal University in London, and suggesting that in the Inns of Court and in the incorporated law societies there were elements sufficient to form the basis of the desired institution.' The project was favourably received by several leading members of the profession, and a great meeting took place in Lincoln's Inn Hall, on the 6th July, 1870, for the formation of 'A Legal Education Association.' Sir Roundell Palmer was in the chair, there being also present the Attorney-General, the Solicitor-General, Sir Edward Ryan, Vice-Chancellor Wickens, and a great number of Queen's counsel, barristers and solicitors. Sir Roundell Palmer delivered an instructive speech (from which we have already made extracts), upsetting the doctrine of 'harmless ignorance' by a declaration that 'he had known, in the course of his life, some few men of no inconsiderable practice and no small emolument, as to whom he could not positively say that he believed they knew any law whatever.'

The meeting was most successful, nothing but unanimity prevailing. The Society was formed, and Sir Roundell Palmer, on the motion of Mr. Amphlett, Q. C., was elected permanent president. An address was subsequently published, stating that the proposed institution would embrace all classes of

* Scotch Juridical Report, 1824.

† Evidence of Mr. Cooksen, Report of 1855, p. 130.

students, whether intending, or not intending, to follow the legal profession. In furtherance of the same object, on the 11th of July last, Sir Roundell Palmer brought the subject of legal education under the notice of the House of Commons by moving an address to the Crown for the establishment of a General School of Law in London. He observed that

'Ages ago men spoke of the Inns of Court as a Legal University, but it was no untrue description of English law studies now to say that they were unsystematic, unscientific, desultory, and empyrical. This was shown by our crude and undigested legislation, which, as yet, evinced no tendency towards amendment. The many public offices open to barristers rendered it imperative that they should attain to a certain standard of legal qualification. Whether paid or unpaid, they should possess legal knowledge. And as from this country law radiated to other regions, particularly to our Colonies and the East Indies, we should do our best to send out competent judges, magistrates, and counsel. He had a letter from an eminent Indian judge, Mr. Justice Markby, asking whether the natives of India, who came here to study the law, found what they had a right to expect. It was of importance to all that there should be established in this country a school of law where every man could obtain sound and scientific instruction; but for barristers the want of compulsory examination had proved fatal to the present system. In this state of things, a body of gentlemen last year formed themselves into an association, and put forward proposals for a general course of study and examination, under the management of a Legal University, to be incorporated in London. It was their wish to act in concert with the Inns of Court and the different law societies throughout the kingdom. The Universities of Oxford and Cambridge had appointed committees to co-operate; and the University of London had expressed a general approval of the scheme, though objecting to so much of it as was meant to constitute the intended body, strictly and technically, into a university with power to give degrees. In consequence of that objection he omitted the word "University" from his motion. He had received a communication from the University of Edinburgh which favoured the proposed institution. The Lord Chancellor and eleven of the judges, Sir William Earle, Sir John Taylor Coleridge, and Sir Joseph Napier, also concurred. The attornies and solicitors of the Incorporated Law Society, and the law societies in other parts of the kingdom, were of the same mind. The Inns of Court, too, had appointed committees to confer on the subject, and by their resolutions had advanced in the same direction. All declared their acquiescence in the principle that there should be a general School of Law, and that there should be an efficient examination before anyone was admitted to practice at the Bar. But Lincoln's Inn and the Inner Temple wished to keep the education for the Bar entirely separate—and desired to retain the whole power which they now possessed in the hands of the Inns of Court. Now he could not agree to this. The Inns of Court had no pretence whatever to claim an exclusive control. They did not represent the Bar. They had no representative character. The Committee of 1846 saw that it was inexpedient to draw a line of demarcation in the early stage of legal education. The intercourse of students belonging to different branches of the profession, so far from being an evil, would, in his opinion, in many respects tend to the positive advantage of both.'

Sir Roundell then moved his Resolution, that the establishment of the proposed school was expedient, and that an humble address should be presented to Her Majesty praying a Royal Charter of incorporation, the House being prepared to concur in the necessary legislation. Mr. Osborne Morgan, Q.C., a Bencher of Lincoln's Inn, seconded the motion. Mr. Jessel, Q.C., also a Bencher of Lincoln's Inn, opposed it; remarking that

'After the most eminent lawyer in the House, and the acknowledged head of the English Bar, had introduced the motion, he could not expect to obtain for his opposition much attention. An important question was, Whence were the funds to be derived? He was afraid the Chancellor of the Exchequer would say: "If these gentlemen want a school of law, let them pay for it out of their own pockets." The Committee of Lincoln's Inn had rejected the scheme by a majority of 18 out of 26; and their example had been followed by the Council of the Incorporated Law Society. The Committee of 1846 had reported their opinion that the desired institution should be sought rather in the application of old establishments than by the creation of new ones. All had been carried out that was recommended excepting what he admitted to be a vital point—the establishment of a compulsory examination. The Inns of Court had been rather late in their conversion to it. But they all now agreed in its necessity. Then why should the action of the Inns of Court be superseded by an unknown and untried body? He said, without fear of contradiction, that the Benchers did represent the Bar; but they did not wish to exclude country gentlemen who desired to learn the Law. If the Inns of Court did not within a reasonable time establish an efficient Board of Examiners, he should be ready to vote an address to the Crown on the subject. But the step, he thought, was now premature.'

Before we respond to the appeal addressed to us by Sir Roundell Palmer on behalf of a School of Law to be supported by voluntary contributions under Royal or Parliamentary patronage, and before we answer the question put by Mr. Jessel as to the funds necessary for this undertaking, we should wish to be informed why the Inns of Court and of

Chancery cannot be rescued by the authority of Parliament from their present condition, and restored to their ancient and proper uses? It is admitted that they are public corporations. They are known to be rich, though no one clearly knows to what purposes their funds are applied. They exercise considerable powers. But till recently they had allowed their duties as the educators of the legal profession to fall into desuetude, and these duties are still most imperfectly discharged. We wish to see the Inns of Court and of Chancery restored to their proper objects and their pristine activity; and before we can give an unqualified assent to Sir Roundell Palmer's proposal to found a new School of Law in London, we desire that the old Schools of Law, which may be said to be coeval with the law itself, should be restored to complete efficiency. The Commissioners of Inquiry have already shown in what manner this could be done, and pointed the way; but hitherto energy and authority have been wanting to surmount the opposition which corporate interests ever present to the progress of Reform. In our opinion, the same policy should be applied by Parliament to the Inns of Court which has brought about such important changes in the Colleges of Oxford and Cambridge. They should have a short term of grace allowed them to adopt for themselves a complete and efficient system of Legal Education, subject to the approval of competent Commissioners and of the Crown; because it is always preferable that reforms of this nature should be effected within the body they concern. But in the event of their failing in the discharge of these duties, their powers and their property should be vested in a Commission whose duty it would be to restore them to the important national objects for which alone they were originally designed. If this were done, we see no reason to suppose that it would be necessary to intrust the future education of our lawyers to any modern voluntary association, or to raise funds for that purpose by subscriptions or shares. The Inns of Court and of Chancery are the proper schools of Law of this country, and they should be compelled, if necessary, to restore and uphold the scientific and philosophical, as well as practical, knowledge of a noble profession, in which this country is so strangely and lamentably deficient.

Art. VIII.—1. *Histoire de la Commune de Paris en* 1871. Par Sempronius. Paris: 1871.

2. *Paris Livré.* Par Gustave Flourens. Paris: 1871.
3. *Paris sous la Commune.* Par Edouard Moriac. Paris: 1871.
4. *The Civil War in France. Address of the General Council of the International Working Men's Association.* London: 1871.
5. *L'Internationale.* Par Oscar Testu. Troisième édition. Paris: 1871.

Of all the revolutions of which Paris has been the theatre and the victim, none assuredly ever took her so much by surprise as that of the 18th of March. The public awoke one morning to find a new Government installed at the Hôtel de Ville, composed of men whose names, with the exception of those of Lullier and of Assi, were utterly unknown to the vast majority of Parisians. The general feeling at first was one of absolute stupefaction and bewilderment. An obscure faction, which had long been organising itself in secret with revolutionary aims but with no settled plan of revolution, found itself all at once in the unopposed possession of the most magnificent capital in Europe, with such an army, such fortifications, such fortresses, such an abundance of cannon and all war material, as no insurrection had ever held at its disposal since the beginning of the world. They were almost as much surprised themselves as the Government which they put to flight. For more than two months this insurrection carried on a revolt against the Government of France of a magnitude unparalleled in history. For more than two months they governed a population of two millions with a despotism more crushing than any Paris had ever known, until having by acts of violence and implacable fanaticism driven into exile or rendered hostile myriads of citizens who had yielded them at first a hesitating recognition, they were reduced to a band of desperadoes and fanatics, the blackest sediment of the ever-boiling revolutionary cauldron, who recruited their thinned ranks from the innumerable dens of vice and savagery which are the curses of large cities, placed arms and incendiary instruments in the hands of malefactors and convicts, did such deeds of colossal atrocity as convulsed the world with horror, and showed that they wanted not the will but only the power to involve the whole civilised world in their own ruin.

The elements of this insurrection are, no doubt, to be found in the various revolutions of 1793, 1830, 1848, in the *coup d'état* of 1852, in the corruption of the Second Empire, and, finally, in the Revolution of the 4th of September. The baleful prodigy,

however, of whose disastrous vitality the world has lately had such astounding evidence, began its growth with the commencement of the siege of Paris by the Prussians, and showed its first signs of activity in the insurrections of the 31st of October and the 22nd of January. During the four long months of siege Paris was, to use the coarse expression of Bismarck, 'frying in its own gravy.' The malignant venom of civil disorder was, indeed, seething in the vitals of the city during the whole of these terrible winter months, when the people of Paris astonished the world by the resignation and capacity for sacrifice and endurance which they evinced amid the terrible privations of the siege; and that this insurrectionary evil did not break out before was owing to the unexpected patriotism and devotion to order shown by the immense majority of the inhabitants, who kept down the small and turbulent faction of the Reds.

The city, at the end of October of last year, had been already girdled in by Prussian batteries, and cut off from the whole civilised world for about six weeks as much as if it had been removed to another planet. About two millions of people had placed their safety and their honour in the hands of General Trochu. They believed implicitly in his word that he would never capitulate. There was, indeed, a little jesting about his plan, which he told the people he had deposited with his notary; but in the main it was believed that this plan was to save France, though the event proved the plan was merely a declaration that the siege was useless, and a final capitulation inevitable. Bazaine, '*le glorieux Bazaine*,' as he was then called, was known to be still at Metz; and day by day it was hoped that he would break through the iron circle and march to the relief of Paris.

Expectation was wrought up to the highest pitch, when, on the 28th of October, there appeared in the *Combat*, the journal of Félix Pyat, these words in large letters, '*Trahison du Maréchal Bazaine*,' with an announcement bordered with black lines, informing the public that Metz had surrendered. The public were struck aghast and dumb with the intelligence. There was a general rush to the Ministers. *The Ministers declared they had no news of Bazaine.* Bazaine had, however, already surrendered; and the secret had been betrayed by Rochefort to Flourens, who made it known to Félix Pyat.

Three days later, on the 31st of October, two placards appeared on the walls of Paris; the one coolly announcing the surrender of Metz, and the other that M. Thiers was then engaged at Versailles in attempting to conclude an armistice. The whole city went wild with rage and excitement; the Government were again beset to know if the intelligence was true. This time, in fact, there was no use in denying the surrender, since the city gates were open in order to be able to communicate with M. Thiers, and all the inhabitants must have known of it in a day or two. Jules Ferry, the *maire* of Paris, in the place of Jules Favre, endeavoured to appease the people, who were furious at the conduct of the Ministers, and now cried for the Commune.

The cry for the Commune was even then not quite new to Paris; ever since the Revolution of the 4th of September, a small band of fanatics had declared that the establishment of the Commune was the only means of saving France. The chief strength of the Communal party lay among the 'white blouses' of Belleville, who, under their leaders, Blanqui, Flourens, and Pyat, had been the terror of Paris under the Empire. Flourens had immense influence over these men, and he was the leading spirit of the insurrection of the 31st of October. Flourens was no vulgar agitator, and no ordinary character; he was a young man of thirty-two years of age; the son of the celebrated physiologist, formerly Secretary of the *Académie des Sciences*, popularly known as the author of the treatise *Sur la Longévité humaine*, and he has written his own account of the siege of Paris, and the transactions in which he was engaged in a book entitled *Paris Livre*. In private intercourse he was of engaging gentle manners; he was fair in features, and had a seductive smile—but with this quiet demeanour he had a passionate faith in revolution for revolution's sake. His courage was indisputable—but it was of the most reckless kind; and he was prepared at any time, with the aid of a few carts, paving-stones, and bits of furniture, to raise a barricade, and to defend it with half a dozen followers against a whole army. His faith was, that a revolution, somehow or other, was to turn out for the benefit of the people, for whose amelioration he had a vague and genuine enthusiasm. His great ambition was to be, in revolutionary phrase, a man of action. His principle was that perpetual action of some kind, whether supported or not, was sure in the end of revolutionary success—a proposition which would be probably true if all the world was composed of men as reckless and as chimerical as himself. He was a man of considerable scientific and other acquirements; after having gone through a brilliant university career, and taken his degree

in science, he filled for a short time the professorial chair of his father, and lectured at the Collège de France, under the Empire, but was obliged by the Government to resign on account of the revolutionary doctrines which he contrived to introduce into the lessons of science. Burning with fiery indignation at what he termed the shameful oppression of the Empire, he leagued himself with all the revolutionary spirits he could fall in with, became the friend of Rochefort, and later one of the contributors to the *Marseillais*. Obliged to fly from France, he threw himself heart and soul into the Cretan insurrection, and for a year fought with the Cretans in countless skirmishes in the mountains, living upon wild roots and boiled herbs, and his courage and example made such an impression on the Greeks that he was elected one of the deputies to the Athenian Chamber. After the suppression of the Cretan insurrection he took advantage of the amnesty to return to France; he played a part in the demonstration at the funeral of Victor Noir, and, contrary to the advice of Rochefort and Delescluze, was for marching unarmed upon Paris. His faith led him to believe that the army, being sons of the people, would join the revolution if the revolution would but display sufficient courage.

After a series of revolutionary plots and adventures in London, and anew in Greece, he arrived at Paris on the 8th of September, rushed at once to the Hotel de Ville to find Rochefort, and explain to him his plan for saving France and the whole world besides. He embraced, to use a French phrase, the whole situation; some of his proposals were rational enough, though the whole formed an extravagant scheme. We confine ourselves to his notions of the foreign policy which the Government of the 4th of September should adopt:—

'Abroad—to appeal immediately to the revolution; barricades at Berlin and Vienna; Spain, torn from the tyranny of Prim and *launched boldly in republican paths;* Garibaldi, aided with 20,000 men, guns, and money, should proclaim at Rome the Italian Republic; agents should be despatched to London to announce to an enslaved nation of workmen *the new principles*—the solidarity of peoples, and equality between all—and to cast to the ground the worm-eaten edifice of Norman feudalism. Since the Holy Alliance marched upon Paris to crush there the home of universal revolution, Paris must, by dint of daring, make the Holy Alliance recoil, and oblige it by a powerful diversion to return back and guard its own institutions.'

Rochefort, however, put aside this programme of Flourens; he took a gloomy view of the situation, but he still had confidence in Trochu, whom he declared to be the best of the French generals. Trochu, says Flourens, had practised upon Rochefort his Jesuitical tactics, and reduced him by flattery to a complete nullity. It appears, however, from the general's letter, read on Rochefort's trial, that these two persons had scarcely ever met.

Flourens, however, with Delescluze, Félix Pyat, and others, refused from the first to believe in Trochu and his plan. Trochu knew that Flourens was a dangerous enemy; nevertheless, since the latter, by virtue of that strange fascination which he always possessed over the people, had been elected Commandant of the 63rd Battalion of Belleville—in which 10,000 citizens came and enrolled themselves as soon as it was known Flourens was in command, and so gave his battalion the strength of a division—it was necessary to propitiate him and his followers in some way; the Governor of Paris then, unwilling to make him a colonel, created for him the title of 'Major of the Ramparts,' and recognised his election as chief of his battalion.

On the 5th of October Flourens gave signs of action by leading his ten thousand men to the Hotel de Ville, to ask for chassepots, which they averred were lying idle in the Government stores; and on their being refused, Flourens gave in his resignation. He says that at that time he and his ten thousand men held the Government at their mercy, but that he felt that the dismissal of Trochu and his Council would be of no use. Paris was still infatuated about the General. Nevertheless, Flourens from this time only waited for a good opportunity to upset the Government.

The news of the fall of Metz, and of the negotiations of M. Thiers for the armistice, seemed to Flourens the ripe moment for advancing on the Hotel de Ville and raising the cry of the Commune, which had been agreed upon by the adversaries of the Government.

Flourens, however, monopolises too much of the initiative of this seditious movement. Delescluze, Félix Pyat, Blanqui, Ledru Rollin, and their colleagues, belonged to an earlier revolutionary generation, that of the Revolution of 1848, and formed a distinct set from the younger revolutionists, such as Flourens, Rochefort, Millière, Lullier, Vermorel, Arthur Arnold, and others. The latter, indeed, regarded with some disdain mixed with jealousy their predecessors in the ways of disorder, as having too old-fashioned revolutionary views and not being up to the time; while they accused them of giving themselves too great airs on the ground of their previous martyrdom of twenty years of exile. Be-

tween Félix Pyat and Vermorel especially there was a good deal of animosity; a sharp journalistic war was carried on between them, even at the time that they were both members of the Government of the Commune. Both however, the older and younger revolutionary party, were divided into '*cliques*;' and the party of the International, which was of the young generation, kept itself distinct from either, though it was intriguing in the dark, and, as we shall see, ended by getting the mastery over both.

Delescluze was born at Dreux, in 1811. He was a student of law at the University of Paris at the time of the Revolution of 1830. He began his revolutionary career by becoming a member of political societies formed for the purpose of upsetting the government of Louis-Philippe. He was arrested in 1834 for complicity with the insurrection of 1834, known as the *Journées d'Avril*, and from that time his life is a series of convictions, fines, imprisonments, and transportations for political offences. He had had experience of pretty nearly all the prisons of France and its colonies. At length an amnesty was published, in which he was included, and he returned to Paris from Cayenne, and in 1868 started a new paper, the *Réveil*. His revolutionary articles soon got him again into trouble; in one year he suffered three convictions. The amnesty of the 15th of August, 1869, set him once more free to become in the present year the most implacable spirit of the Commune. The Revolution with Delescluze also was a kind of religion. Apart from this, we believe his private character was estimable; even his adversaries spoke of him with a kind of respect, for he had a certain amount of talent and undeniable strength of will. He was a grim, austere, ascetic man, who sacrificed everything in life to the pursuit of the political ideal which he had framed out of revolutionary traditions. Proudhon, who saw through their hollowness, told him in early life coarsely that he belonged to the race of the *blagueurs*, and though the accusation is not perhaps true, he did more harm than if it were. It is some proof of the respect paid to his character, that M. Thiers (who thought he could buy everybody) despatched a special ambassador into Paris to detach him from the Commune; but the fanatic remained obstinately firm to his revolutionary mission; and when he could see no further glimpse of hope, and could delude himself no more with expectation of a rising in the provinces—when the troops of Versailles were already in possession of Paris, he went with his stick in his hand and his broad-brimmed hat on his head, and took his stand on a barricade, where he was shot, dying before the worst atrocities of the Commune were perpetrated, though he prepared the way for their commission.

His comrade, Félix Pyat, has more claim than Delescluze to be classed under Proudhon's category. Pyat has been accused, and with reason, and Vermorel omitted not to taunt him with the fact (while he was member of the Committee of Public Safety), of having passed his life in stirring up revolutionary fires, and then skulking off to leave his friends to bear the danger and consequences of the conflagration. He was born at Vierzon, in the department of the Cher, the son of a lawyer of strong legitimist principles. He distinguished himself in his university career; but began his revolutionary antics at the age of nineteen, when he drank at a public banquet a toast to the Convention, and replaced a bust of Charles X. in the room by that of Lafayette. He was admitted an *avocat* in 1831; but soon quitted the bar, and became a *dramaturge* and a writer in journals. Some of the theatrical productions of his early life had an immense popularity —especially the *Deux Serruriers* and the *Chiffonnier de Paris*; but even his theatrical pieces were chiefly remarkable for their artificial diction, search after extravagant effects, and political and social allusions. After the Revolution of 1848 he was elected deputy of the Cher, and became remarkable for some violent speeches in the Assembly, and for one especially on the 'right of labour.' Although not an accomplice in the insurrection of June, he signed with Ledru Rollin a proclamation, calling upon the people to make another appeal to arms, in July 1849, and then fled from France to avoid the consequences of prosecution. He inhabited Switzerland, Belgium, England, by turns. He signed the famous Jersey letter of remonstrance to the Queen, on the occasion of her visit to the Emperor Napoleon; and was tried by a jury in England, in 1858, as an accomplice in Bernard's plot against the Emperor's life, but acquitted. After the amnesty of 1869 he returned to France, and wrote in the *Rappel* articles for which he was condemned in January 1870 to seventeen months' imprisonment; but he escaped again to England, where he took an active part in another conspiracy of Flourens for taking away the life of Napoleon III.; and while the young men whom he had seduced into joining his plot were being tried at Bourges, Félix Pyat was safe in this country. He returned to Paris, however, before its investment, and started the *Combat*, a paper whose title was ultimately changed to that of the *Vengeur*, in which he carried on incessant war against the Government of Defence, and plotted its overthrow. He was elected a member of the Commune, and appointed,

maliciously, one of the Committee of Public Safety—in order, for once, that he might be in the front of danger. It was not long, however, before he wanted to resign; but a body of citizen men and citizen ladies having informed him in two addresses that they considered it his duty to remain, Pyat affected to comply. He slunk away, however, as soon as the Versailles troops entered Paris, and has, with his old luck, apparently escaped; there have been numerous reports that he had been captured, now in the guise of a *Chiffonnier*, and now in that of a charcoal-burner, in one of the canal boats on the Canal Saint Martin. But he is probably in his old haunts in Leicester Square.

Such were the two chief professors of revolution, who were each in turn plotting against the Government of the 4th of September since the commencement of the siege. It must be remembered that the Government of Defence had, before the investment, already fixed the municipal elections of the capital for the 28th of September, and the general elections of France for the 2rd of October; but the completion of the investment prevented this plan from being carried out, and Jules Favre went to have his interview with Count Bismarck at Ferrières.

The news that the Minister of Foreign Affairs, after having uttered the well-known phrase, 'not a stone of our fortresses, not an inch of our territory,' had gone to make offers of concession to the Prussian Chancellor, threw the excitable people of Paris into frenzy. The clubs, whose extravagant and wild discussions during the siege present a curious subject for the study of French character, seized upon the opportunity to let loose their most rabid rhetoric; and Delescluze, in the *Réveil*, put forth his programme, which contains a good deal in common with the programme of the Commune. It is to be noted that in this first draft of the Commune proposed by Delescluze the provincial elections were to be postponed, which is a proof that the federal system was a later invention; and that the first notion of the party was to get possession of Paris, to keep it by means of the war, and to carry on the old system of dictating to the provinces from Paris.

Just as the negotiations of Jules Favre with Count Bismarck, at the end of September, occasioned the first serious call for the Commune, so the negotiations of M. Thiers, at Versailles, at the end of the following month, and the surrender of Metz, were the cause of the still more serious manifestation for the Commune on the 31st of October. It was Ledru Rollin this time, in a public meeting on the 28th October, who started anew the cry of the Commune:—'I call to mind,' he said, 'that it was the great Commune who saved from the invader the sacred soil of our country. Lyons has also established it. Will you remain behind Lyons—you, Parisians, who have always marched at the head of the Revolution? Will you not do as Lyons has done? You will—you will! You are decided to use your right—to give yourselves the Commune. You will name the Commune of Paris.' This speech of Ledru Rollin excited immense enthusiasm in the audience. The cry, *La Commune! La Commune!* was taken up by all Paris; Félix Pyat in the *Combat;* Delescluze in the *Réveil;* Blanqui in the *Patrie en danger;* the sons of Victor Hugo, Vacquerie, and Paul Meurice in the *Rappel;* Ulbach and his friends in the *Cloche*, harped upon it without end. While the men of action, Flourens, Lullier, Sapia, and Megy, incessantly repeated to the battalions of Belleville, 'Let us sweep away the traitors, and establish the Commune.'

At length the *maires* of Paris, aware of the hostile feeling that was rising in their several quarters, formed a deputation and advised the Government to grant the municipal elections. A numerous crowd had collected in front of the Hôtel de Ville, with cries of 'No armistice!' '*Vive la République!*' 'Resistance to the death!' Jules Favre, according to Flourens — Étienne Arago, according to another account—declared in the name of the Government that the Commune should be established. A multitude of little papers were thrown out of the windows, on which was written, 'Immediate election of the Commune of Paris, under the direction of Dorian and Schoelcher.' Rochefort came to the windows, and assured the crowd of the truth of the news; and then took a piece of paper and wrote out his resignation. In fact, he was convinced now that the Government already had capitulation in view. During all the morning the affair did not go further than a manifestation; in the afternoon it was changed into an *émeute*, and this by the arrival of Flourens on the scene with four hundred of his most devoted adherents of the battalion of Belleville. The chief gates of the Hôtel de Ville were opened, according to Flourens, by a boy getting through one of the windows and undrawing the inner bolt, after which a mob of five or six thousand National Guards entered the Hôtel de Ville, and the Government were prisoners. The Hôtel de Ville was, as is well known, soon recaptured by Trochu's party by a stratagem and without bloodshed. But even after the rescue, Flourens managed to make terms for the withdrawal of his men, and a convention with Dorian and Jules

Favre for the election of the Commune on the morrow. Dorian, whose name figured on all the lists, was the minister of public works of the Government of the 4th of September, and was extremely popular during the first siege, though we have heard nothing of him since its close.

General Trochu, with his Government, now threw himself upon Paris for a *plébiscite;* and the result was an overwhelming vote of confidence in his favour, the majority being about 340,000, and the minority 54,000. After this defeat, the Communal party made no fresh attempt to overturn the Government by action until the 22nd of January. The Government, on the strength of their vote of confidence, arrested a considerable number of the conspirators of the 31st of October. Flourens managed to escape arrest for the time, but was subsequently imprisoned in Mazas, from whence he was released by the insurrectionists on the 22nd of January. Millière and Blanqui managed to avoid arrest altogether. At the same time the Government, in order to make some concession to the cry for municipal government, decreed that each arrondissement should elect its *maire;* the *maire* of all Paris, however, was named by the Government. The most democratic quarters of Paris revenged themselves for their defeat in the *plébiscite* by electing the greater part of those concerned in the *émeute* of the 31st of October.

The history of the Commune cannot be understood without realising the frightful ordeal through which the whole population passed from the 31st of October to the end of January — during three long months. Never in the history of the world were two millions of people subjected to such prolonged sufferings; and, to add to their miseries, the winter of 1870–71 was one of exceptional intensity. A three months' famine for this immense population was in itself a sufficient calamity, but the intensity of frost and the lack of fuel aggravated the agonies of the unhappy city to an incredible degree.

Into these melancholy details of the siege and its incidents we have no space to enter; we must content ourselves with stating that by the middle of January the Government of National Defence was utterly discredited with all parties. All the generous illusions entertained by the Parisians, in spite of the intense agonies of four long months, had vanished. All classes of the population felt that they had been played with and deceived, subjected to frightful suffering, and to a death-rate of three or four thousand a week beyond the average mortality, for a siege which was a mere comedy; and on all sides the Government was censured and derided for its incapacity and inaction.

Then took place the *émeute* of the 22nd of January. Accounts differ as to who fired the first shot in this affair, in which lives were lost. Flourens declares that the Bretons without provocation fired from the windows of the Hôtel de Ville on an unarmed crowd,* after which some National Guards seized their muskets and replied. A good many were killed and wounded on the side of the people, who attempted to raise a barricade, which was taken in the rear by Vinoy, who dispersed the assemblage. In consequence of this *émeute*, Félix Pyat, Flourens, and Blanqui were condemned by court-martial to death by default; the *Combat* and *Réveil* were suppressed, and Delescluze was imprisoned at Vincennes. This skirmish was too insignificant to excite much attention in the then desperate condition of Paris. Nothing but news of disaster arrived from the provinces. Chanzy had suffered a complete defeat; Faidherbe too was routed, and Bourbaki was on the point of being surrounded. Five days after this *émeute*, Paris was apprised by the *Journal Officiel* that negotiations were being entered into for a capitulation; on the morrow, the 28th, the people were informed of the terms of the capitulation.

The prostration of energy and spirit which ensued among the Parisians immediately after the surrender was terrible; there was a general weariness of everything, of disgust at all news from without, and of life itself. It was, says Sarcey, something like resignation to death after a long and painful illness. An immense crowd rushed to the *préfecture* of police to get passports, to leave the scene of such misery and fruitless agony; 25,000 were asked for on the first day. On the 8th of January the new National Assembly was elected, and 750 deputies were sent by the country to assemble at Bordeaux and to ratify the peace.

It was hardly possible that an Assembly could be elected under more unfortunate conditions, so far as respects the Government of France. At the very time at which the elections were made, Paris was still almost as separated from the provinces as during the siege. The Prussians allowed no letters to pass but those that were unsealed, and the difficulty of communication was still great. After four months' separation, it was an additional misfortune that Paris and the provinces should not have means of

* Whether this was true or not, the partisans of the Commune always declared this to be the case, and it was the plea upon which Chaudey, as we shall see, was arrested and executed.

coming to an understanding. In their common disaster, the provinces were angry with Paris, and Paris was angry with the provinces. The consequence was that the votes of Paris and the votes of the great cities as sympathising with Paris were votes of counter-protestation. One point there was indeed common to the votes of both—both made their votes at the same time a protest against the Empire. Moreover, the general reasoning in the provinces was that since the Republic had been unable to save France, therefore it was a bad form of government. The provinces thus sought for its candidates among men who were anti-republican and anti-imperialist, and their choice was necessarily limited to those who were untainted with Napoleonism, and who had not even sat on the benches of the Bonapartist opposition in the *Corps Législatif*. Such men could only be found among the royalist party, and these would be old in years and perfectly untried in affairs. Paris, on the other hand, and the great towns, voted for a list of extreme Republicans. All France, it may be said, was surprised at the composition of the Right of the Assembly. Flourens's character of them is instructive, as showing in what light the new deputies of the Right were regarded at the very outset by the Republicans.

'The result was that we had a chamber, the counterpart of that of the Restoration; a chamber of ghosts, of people who were thought to be dead long ago, and who appeared to be quite untouched, to be still alive. Marquises and abbés, who had without doubt sat in the States-General of 1789 on the benches of the nobility and clergy; a collection of bald heads, deaf ears, and eyes which blinked at any ray of sunlight. This Assembly ought to have had a gravedigger for doorkeeper. For such owls the cry of "*Vive la République!*" was an intolerable outrage.'

This resuscitated party acquired the name of the '*Rurals*.' The Assembly, by a vote of 546 votes against 107, ratified the preliminaries of peace on the 1st of March.

Next to the cession of Alsace and Lorraine, the points of the negotiations which most excited the Parisians were the entry of the Prussians into Paris and the surrender of the city. In the Place Wagram, situated in the quarter of Paris which it was agreed the Prussians should occupy, there remained a large park of fine bronze cannon, which were the product of a patriotic subscription of the National Guard; other parks existed at the Barrière d'Italie and at the Fort Montrouge, and no effort was made to bring them in; they had been in fact entirely overlooked by the Government; and if the Prussians had entered and found them where they were, they would as assuredly have taken possession of them as they did of the ammunition and stores of Mont Valérien, which also had been disregarded. Various battalions of the National Guard, finding the cannon thus overlooked, undertook to bring them into the interior of the city, and put them out of the reach of the Prussians.

But the negligence of the Government authorities in the matter of the cannon was but a small part of the unfortunate combination of circumstances which left Paris to its own disorder. During the time that they were besieged by the Prussians, the Parisian population had disappointed the cynical hopes of Bismarck; but no sooner was the terrible girdle of steel and fire withdrawn from around them, than they began at once to realise the previsions of the Chancellor. Some such state of things might, indeed, have been expected by anyone with the faintest knowledge of human nature. Up to the time of the conclusion of the siege nearly the whole of that immense population had been animated by an heroic sense of duty and patriotism, which had enabled them to support the horrors of their situation; and, moreover, they had a Government in the midst of them, professedly Republican, around which they could rally. But with the capitulation patriotic enthusiasm was turned at once into disgust and nausea; even the best portion of the Parisians regarded their position with loathing and abhorrence; a large number at once left the city; among such as remained, the best disposed of the inhabitants continued sunk in absolute lethargy till they were aroused to take some interest in affairs by the new set of dangers which were springing up around them; and, to make things worse, the city was, since the gathering together of the Assembly of Bordeaux, left without any Government at all.

Indeed the continuance of the Assembly at Bordeaux for one hour longer than was absolutely necessary was a national misfortune; for misconceptions could not fail to arise on both sides when the distance which divided them was so great. One such misconception, which had a most prejudicial effect on the deliberations of the Assembly, was produced by a false report which was spread at Bordeaux on the 4th and 5th of March, of an insurrection in Paris which was said to have placed the greater part of the capital in the hands of the revolted National Guards. This was absolutely believed at Bordeaux for two days, and increased the repugnance with which the greater part of

the Right regarded the translation of the seat of the Assembly to Paris. Indeed, it was only by his very remarkable speech on the 10th of March, which was a veritable *tour de force*, that M. Thiers could induce the Assembly to consent to remove from Bordeaux to Versailles. The Committee which had been appointed to report on the most desirable place for the seat of the Assembly had declared for Fontainebleau. M. Thiers, it was well known, was desirous of removal to Paris itself, but he knew that it was useless to propose such a scheme to the Assembly.

The conduct, indeed, of the majority of the Assembly was uniformly of a character to produce in Paris extreme political irritation. A number of Parisian deputies declared that they found it impossible to sit in such a Chamber. The very allusion to the fact that France was at that time living under a Republican form of Government, threw the whole Right into convulsions; and it was not only the democratic press of Paris, but the whole body of Journalism, which cried aloud at their conduct as foolish, wild, and impolitic. Moreover, by the laws which they had hurried through the Chambers without due consideration respecting the rent-question in Paris, and the payment of overdue commercial bills, and which manifestly did not meet the exigencies of the situation, and which, indeed, they had to remake, they had discontented the whole commercial world of the capital.

As for the capital itself, it was rescued from the state of lethargic abandonment into which it fell after the capitulation, by the entry of the Prussians on the 1st of March, and from that time up to the outbreak of the actual Revolution on the 18th, it remained simmering in a state of chaotic anarchy; to put an end to which the Government took no important steps whatever. Yet, in its outward appearance, in the early days of March, the city bore no sign of the wild spirit which was at work within. Although there was not a shadow of a policeman to be seen anywhere, the streets were crowded with people, and ladies and children walked everywhere unmolested, and there was no report of violence or crime. The shops were beginning to re-open with confidence; though in every street closed shutters in abundance announced a tale of ruin by the siege. There was a good deal of idleness in the streets in the absence of work, and quantities of processions were made to the Column of July in the Place de la Bastille. The column itself was covered with *immortelles* from the base to the summit; and a hardy sailor climbed up the figure of Liberty on the summit, and hung flags about every limb. This homage paid to the victims of the Revolution of 1830 was intended as a counter-protestation to the supposed machinations of the Bordeaux Assembly. The city, indeed, remained still crowded with disarmed soldiers of the Loire and Mobiles, who ought to have been sent to their homes immediately after the armistice, but who, having nothing to do, mixed with the National Guards, and complained everywhere that they were starved by the Government. Meanwhile, the cannon to the number of about two hundred remained on the summit of the *butte* of Montmartre—guarded generally by a very few sentinels—who were increased from time to time, while an attempt was made to dig around them some kind of entrenchment. The Government of Bordeaux at last appointed General Aurelles de Paladine Chief of the National Guard, and General Valentin *préfet de police*. The appointment of General Valentin, who had formerly been colonel in the *gendarmerie* under the Empire, excited immense discontent. The Government of Bordeaux had already been accused of having studiously sought out for royalists and imperialists in its distribution of offices, in order to have ready instruments for a *coup d'état;* and the choice of General Valentin was considered a fresh proof of the designs of the executive to upset the Republic. The appointment of Aurelles de Paladine, too, was not received with favour, for he was thought to be an Orleanist; his very rigid Catholicism made him an object of suspicion,* and it was said that his purpose was to disarm the National Guard. While the democrats were fuming and fretting at this new proof of the designs of the Government, General Vinoy, styled the *Décembriseur*, from his having been engaged in the *coup d'état*, who still remained Military Govenor of Paris, by virtue of the state of siege, suppressed at once six papers, among which were Rochefort's journal the *Mot d'Ordre*, and the *Père Duchesne*, and the *Cri du Peuple*.

Some days, however, before the 10th, orders had been given to dismiss to their homes the disarmed soldiers and Mobiles who remained in the city. These began to depart, and their place was supplied by fresh regiments of the army of the Loire. The Central Committee of the National Guard, on the arrival of these troops, suspected at once they were sent for pur-

* He was accused of having passed six hours on his knees in the Cathedral of Orleans, doing penance.

poses of repression, and on the 10th, the very day on which M. Thiers was making a great speech to the Assembly—proposing the removal to Versailles—a seditious placard was published inciting the soldiers not to fire upon their fellow-citizens if so ordered.

Revolutionary placards, professing to emanate from committees of the National Guard, and printed on red paper, had been posted on the walls continually, ever since the suppression of the *emeute* of the 31st of October. The history of the origin of these committees is necessarily somewhat obscure, since they had been forming in the dark; however, we believe their growth can now be very fairly traced, as well as their connexion with the International Working Men's Associations—*L'Association internationale des Travailleurs.*

The powerful organisation of the International, and the part it has played in the insurrection of the Commune, is the most striking feature of the times in which we live; and there never has existed, perhaps, since the origin of civilisation, a society as to whose character and working it is so important to come to a just understanding. Its influence is now enormous in every civilised country; already it counts millions of members scattered all over the world. The power of the Jesuits was symbolised by a dagger whose point was everywhere and whose handle was at Rome; but we doubt if the power of the Jesuits was so formidable as that of this Society, which has been in existence now barely seven years. We have been assured by a high authority that its numbers in Great Britain amount to 350,000, and on the Continent they are reckoned by millions.

The General Council of this Society sits in London, and, if we are correctly informed, its chairman has not unfrequently been Mr. Odger. The last general meetings of the Society are said to have been held within the last few weeks, with great secresy, at some of the low public houses in the north of London, where the fate not only of empires, but of society itself, is discussed and decided. Various secretaries are attached to the General Council for carrying on correspondence with the foreign sections; among them are Karl Marx, secretary for Germany, Herman Jung for Switzerland, and Eugène Dupont for France.

We have two letters of Eugène Dupont, written immediately after the Revolution of September 4th; which leave no doubt as to the light in which that Revolution was regarded by the Association. One of these is as follows:—

'London, 7th September, 1870.

'The doleful fall of the imperial Soulouque gives us for masters the Favres and the Gambettas. Nothing is changed; power is still in the hands of the middle class. In these circumstances, the part or rather the duty of workmen is to let this middle-class vermin (*vermine bourgeoise*) make peace with the Prussians (since the disgrace of this act will cling to them for ever); not to strengthen their power by useless *émeutes*, but to turn to profit the liberty which circumstances will bring us, by organising all the forces of the working classes. The middle-classes, who are at this moment infatuated with their triumph, will not perceive at first the progress of our organisation, and the working men will be ready for the day of *the real war.*

'The task of our Association is to urge onward and spread everywhere this organisation. Redouble then your energy. You must increase your devotion a hundredfold: group around you under the flag of our dear Association all the men of action and conviction, and the end we aim at will be speedily obtained.

'*The Council General has written to all its correspondents* in order that all efforts may be concentrated to act uniformly in this cause *at the decisive and opportune moment.*

'To work, then, without stop till the *Social Revolution* is reached. In this moment of effervescence and popular commotion, the Revolution—the real one, can step out with giant stride with the aid of all the correspondents of our Association.

'Down with the middle classes!

'Long live the International!

'Fraternal greeting to all.

'Eugene Dupont.'

This letter was addressed to Albert Richard, the corresponding member for the section of Lyons, who played a great part in the insurrectionary movements of that city in last year. At the same time it must be added that the Members of the International at Paris signed, almost unanimously, a powerful protest against the declaration of war with Prussia, on the 15th of July; and this protest, with a mass of signatures, was published in the *Réveil.* Indeed, the attitude of the Society has ever been consistently neutral and discouraging towards all political agitation, and all attempts at revolution not calculated in the opinion of the Society to advance their own aims—the supremacy of the class of working men in society. It is perfectly immaterial to the chiefs of the International whether Bonaparte, Henry V., an Orleans Prince, or a Republican of the Ledru Rollin or Jules Favre stamp be the chief of the government; they regard equally all as their enemies; and a Republic which is not socialist is regarded with precisely the same contempt as a Monarchy of any form.

In proof of this we cite the following de-

claration of the *Internationale* Newspaper, one of the accredited organs of the party :—

'Many revolutionists have regretted that the Parisians have made no revolution after the funeral of Victor Noir. We do not regret it. In fact, what would such a revolution have been ? A revolution purely and simply against the Empire, a revolution which would of a certainty have placed in power Ledru Rollin and his friends, and probably also Bancel, Gambetta, and the like. Let us admit that Raspail and Rochefort would have made part of it—what would they have done for the working men ?

'Raspail and Rochefort, however sincere they may be, *do not know the first word of the revolution to which we are marching.* They have not even a socialist programme. They would be socialists, but they cannot, because, like all *middle-class democrats*, they start from a point of view absolutely false—that of individual liberty.' (*L'Internationale*, 13th February, 1870.)

A large number of passages might be quoted to show that this Society discourages all revolutions but those which it aims at making itself, and styles the Social Revolution. We must confine our proofs in support of this to the following passages taken from their organs :—

'The rights of the working men—that is our principle ; the organisation of working-men—that is our measure of action ; the Social Revolution—that is our end.' (*L'Internationale*, 27th March, 1870.)

'The International Association of working men know but one kind of politics—that of spreading its doctrines, and increasing its members and its organisation.' (*L'Égalité*, 3rd April, 1869.)

'The International is the hour of awakening ; it is the power and approaching triumph of the working men on the ruins of capital monopolised in the hands of the middle classes ; it is the constrained moralisation of these last by labour, and the just distribution of its profits.' (*L'Égalité*, 23rd January, 1869.)

'The people are called now neither slave nor serf ; they are proclaimed free by law, but in fact their slavery and their misery are still the same. And these will remain the same as long as the popular masses continue to serve as instruments to the politics of the middle classes, whether these politics are called conservative, liberal, progressive, or radical, or even though they should have the appearance of being the most revolutionary in the world. For all middle-class politics, whatever be its colour and its name, can have but one aim—the safe maintenance of middle-class domination, and middle-class domination is the slavery of the working classes.

'What then were the duties of the International ? . . . The duty of the International was to begin by clearing the ground ; and since all politics from the point of view of the emancipation of labour were composed of reactionary elements, it was obliged to reject from its bosom all known political systems, in order to found on the ruins of the middle-class world the true politics of the working class—the politics of the International Association.' (*L'Internationale*, 5th September, 1869.)

Eugène Dupont, the London secretary for France, declared at the Congress of Brussels, in 1869, 'that the revolutions of 1830 and 1848 were but revolutions of form and not of base ; that the foundations of society must be changed ; and that the real field of the revolution was the social question.'

The first idea of this Society appears to have been thrown out during the course of the visit which a deputation of Parisian workmen paid to the Universal Exhibition of London, in 1862. They had been sent over at the expense of their comrades to study the general condition of European industry, became acquainted with English workmen, got initiated into the nature of Trades' Unions, and discussed the subject of strikes. The notion naturally occurred to them that if the principle of co-operation in strikes was a good thing for the workmen when applied to one country, it would be far more effective when applied on a grander scale throughout Europe. The basis of an International Association was then thrown out, whose members should engage themselves to support each other in all countries, whenever strikes should be deemed necessary in the interests of the working classes ; and it was agreed that a great European meeting of delegates of working men should be held in London, in 1864. The meeting took place on September 28th, 1864, in St. Martin's Hall ; but the original project had grown considerably in the interim, and assumed a much more revolutionary form than was at first designed. Various representatives of the Continental nations were present. They elected a Committee, who were charged to draw up the statutes of the Association ; and it was decided that a general congress of the working classes should be held in 1866, and that up to that period the Committee should act as Central Provisional Council of the Association and should sit in London. Of this Committee Mr. Odger was elected President, and they drew up the statutes in accordance with the vote, prefacing them with a declaration of principles.

This declaration affirmed that the emancipation of the working men must be effected by the working men themselves. That the economic subjection of the working man to the possessors of capital was the cause of his political, moral, and material servitude. That every political movement should therefore be subordinated to his economical emancipation. That all efforts to arrive at this

had hitherto failed through want of a common interest between the working men of every profession in every country. That the emancipation of labour was neither a national nor local question, but a social one.

The organisation of the International, as finally settled, consists of—1. A General Council; 2 Federal Councils; 3 Sections. This organisation is at once simple and strong. The Sections represent the type of the Commune; it is a federation of groups, each group being composed of the affiliated members of the same kind of industry. The Federal Council is composed of delegates elected by the various Sections comprised in one federation; and the Federal Council is the intermediate body between the Sections and the General or Central Council. Most large towns have a Federal Council, who, by means of corresponding secretaries, are in communication with the General Council.

Each member of the International pays two small weekly subscriptions; one subscription defrays the expenses of the Federation, the other those of the General Council. It would detain us too long here to set out in detail the system adopted of local and general reports, and other regulations of the Society. It is sufficient to state that the sovereign legislative body of the Association is the Congress which should be held every year. The General Council is merely the executive. Up to the present time there have been four Congresses. The first met at Geneva on the 5th of September, 1866; the second at Lausanne on the 2nd of September, 1867; the third at Brussels on the 6th of September, 1868; the fourth at Basle on the 6th of September, 1869. Last year, owing to the disturbed state of Europe, there was no Congress, but one has been held in the past month.

Every Congress evinced great progress in the dissemination of the principles of the International. Belgium especially was in force at the later Congresses; and to these Italy and Spain also sent their delegates. At every Congress questions relating to the rights of property were discussed. Communism was repudiated at Lausanne in 1866; but the last Congress, that of Basle, showed itself of all the most revolutionary. The first question that was discussed at Basle was the right of society to abolish property in the soil, and the necessity of such abolition—both which points were carried with only four dissentient voices. The second question treated of the right of inheritance to all property whatsoever. A majority of nine only voted for its abolition, but as this was not sufficient according to the rules of the Society, the Congress pronounced no opinion.

In France, the International had to contend with great difficulties, owing to the repressive laws which existed against secret societies. Nevertheless, at its commencement, the Imperial Government favoured its formation. The Emperor, it is well known, has always been suspected of socialist tendencies. It is even said that he had something to do with starting the idea of an International Society for working men. The Imperial Government was informed of the meeting in St. Martin's Hall, in 1864, at which the Society was actually founded; and the French delegates, on their return to Paris, sent a copy of the statutes of the Society to the *préfet de police*, and informed him of the existence of an office in Paris, in the Rue des Gravilliers. In consequence of this step, M. Rouher had several interviews with the delegates, and even advanced them funds on the part of the Government, which by some strange infatuation was always imagining it would get hold of the support of the artisans of Paris, in the same way as it had got possession of that of the peasantry.

Indeed, the first manifestation of the power of the International was made in Paris, in a strike of the workers of artistic bronzes, the best skilled perhaps among the artisans in Europe. This first action of the Society had complete success. This result was an unheard-of precedent for France, where up to this time all combinations of working men for the purposes of trade had been rigorously suppressed, and it gave a powerful impetus to the influence of the Society. The consequence was that strikes succeeded rapidly in France one after the other, and the Imperial Government, which had followed the working of the Society, and were aware of the socialist principles of many of its members, thought the time a fit one for prosecuting the Parisian Committee as members of an illicit association, and so frightening the middle classes with an exposure of the dangers to which they were exposed.

After two prosecutions, however, the Imperial Government relaxed in its rigour, for at the end of the following year Theisz, Varlin, Landrin, Pindy, and others, set about openly reforming the Parisian Committee, and the members of the Society were found to be so increased, that a federation of sections was necessary; and the statutes of this federation were discussed and settled in a general assembly under the presidency of Varlin, on the 10th of April, 1870. So that the Society had, in fact, ripened to a perilous state of maturity just before the war broke out between France and Germany.

Since the International had completed its organisation in Paris just before the war,

and was still in the full glow of propagandism and extension, it is easy to understand how favourable the conditions of the siege were for the further propagation of their doctrines among the National Guard. From the very commencement of the investment, they commenced their operations, and very speedily got the National Guard of the outer zones under their influence, though in the central parts of the city they made but little way. They managed to get the direction of these sections of the National Guard through the establishment of 'Committees of Vigilance,' whose nominal duty was to be on the watch for spies and traitors, and to discuss the means of saving the capital, but which were worked by the people of the International for the furtherance of the views of the Society. By grouping again these committees into sections and electing from them a new Central Committee, they succeeded in secretly organising the National Guard much after the fashion of their own Association. For it must be observed that the chief titles by which the insurgents styled themselves were clearly taken from the International. They always preferred to speak of themselves as Federals (*Fédérés*) ; Central Committee also, in the letters of Dupont and others of the International, is frequently used as synonymous with the term Federal Council or Committee; and we believe the Internationalists themselves considered the use of the term Commune as a mistake, as not designating at all the kind of revolution they had in view.

But the Society of the International was only one of the elements of disorder in Paris. There were a number of other Republican societies, all carrying on their own secret manœuvres. There was the old conspirator Félix Pyat and his party; there was Delescluze and his party; there was the *Alliance républicaine*, with Ledru Rollin for its president; the *Union républicaine*, with president Dupont de Brissac; the *Défenseurs de la Republique*, with president Bayeux Dumesnil, and the *Comite des Vingt Arrondissements*. Jealousy and dislike prevented these various societies from uniting together; while the true members of the International, as we have seen, looked upon all socialists and republicans who were not absolutely of the class of working men with invincible suspicion. The middle-class revolutionist was good for nothing but to be used as a temporary makeshift, and then to be thrown aside.

Nothing in the course of the day of March 17th appeared to presage the terrible events of the morrow. The weather was cold and lowering, and there seemed to be a kind of lull in the political agitation of the capital, while the newspapers expressed the hope that now M. Thiers had arrived at Versailles, the matter of the cannon of Montmartre might be arranged. In the early dawn, however, of March 18th, the inhabitants of the streets leading towards the *butte* Montmartre were aroused by the sounds of the march of troops, and as they passed by the *rappel* was beat to call out the well-affected portions of the National Guard. The *rappel*, however, was beaten in vain; a few heads might appear here and there at the windows, but they withdrew as soon as they saw the troops going by, leaving the Government to manage the Montmartre difficulty by itself. The appearance of the troops who were sent on this hazardous mission did not seem to augur well for success. The *gendarmerie à cheval* were a mere handful of men, and the regiment of the line, the 88th, who were charged with the heaviest part of the undertaking, were, for the most part, mere boys of not more than sixteen or seventeen—they had formed part of the army of the Loire, conscripts of M. Gambetta, and had not been under arms more than three or four months.

The National Guards, however, on the *butte* Montmartre were taken by surprise; the artillerymen of the troops mounted the hill, armed with their muskets, and engaged in parley with the officer in command, who made no opposition to the cannon being taken away; but no horses were provided for this purpose; consequently, while horses were being sent for, time was given to beat up the quarters of Montmartre and Belleville, and to bring upon the scene the disaffected National Guards. The battalions of Belleville and Montmartre made a rush upon the cannon, were received with shots by the troops, and some of the National Guards, a woman, and a child fell. After this there were exchanges of words between the National Guards and the soldiers—the ranks broke up; and soldiers and National Guards went off to drink and to fraternise together. The 88th was the first regiment to go over, and the artillerymen followed the example of the line and abandoned not only the cannon they had taken but their own. The attempt to seize the guns was now wholly frustrated. General Vinoy, who had planned it, was obliged to retire from the Place Blanche, whither he had advanced with some troops, after a useless exchange of fire with the National Guards in which lives were lost. The 88th, going with the insurgents, seduced other troops of the line, and all together made an attack on the *gendarmerie* posted on the Place Pigale; the officer in command of these latter drew his sword, and ordered

his men to fire, but he was shot down as well as his horse, and, after a short fusillade, the *gendarmerie* retired leaving some dead and wounded. The horse of the Captain of *gendarmerie* was afterwards cut up in pieces, and served out for food to the crowd, who had become accustomed to horse-flesh during the siege.

The insurgents being now completely masters of the *butte* of Montmartre, were in a state of wild agitation, and, as is usual in such cases, the revolted soldiers were the most furious of the two; the very fact that they had betrayed their flag and their general—Lecomte, who was taken prisoner at the time the 88th went over—together with the drink they had taken, rendered their excitement still more uncontrollable. General Lecomte was entirely unknown to the 88th, which had only recently been placed under his command; he was especially beloved by the troops who had served under him, and it was an additional blunder on the part of General Vinoy to place such a regiment in such circumstances under the command of a strange officer. General Lecomte was led by the exasperated crowd to the Rue des Rosiers, where he was joined later in the day by General Clément Thomas, who was taken prisoner also, being in plain clothes, and having come imprudently to look after his comrade. The two generals were shot without trial, not (so far as we can learn) by the National Guard, but by infuriated soldiers aided by some Mobiles who had borne a grudge against General Thomas on account of the severity of his discipline during the siege. An *aide-de-camp* of General Leflo, the Minister of War, was also taken prisoner at the same time, and in a letter in the *Soir* declared that he only owed his life to the superhuman exertions of some officers of the National Guard who favoured his escape, and that his belief was that General Lecomte at least perished by the hands of his own soldiers. However this may be, no attempt was made to punish the assassins, although the Central Committee asserted that such was their intention.

The news of the assassination of the two generals was spread about Paris in the evening, and sent a thrill of horror through the metropolis. Yet, to all outward appearance, the boulevards and the interior of the capital wore nearly the same air as usual; circulation was unmolested, and it was only here and there, by the excited air of groups in discussion on the pavement, that a stranger could discern that anything unusual was in preparation. The troops, however, had on all the points in possession of the disaffected portion of the National Guard given way, in the same manner as at the *butte* Montmartre; and General Vinoy had withdrawn such portion of the troops as remained faithful to him to the left bank of the Seine—leaving to the National Guard the care of restoring order on the right bank. On the 18th, in the evening, the insurgents had already taken possession of the Hôtel de Ville, the Ministère de Justice, and the military head-quarters in the Place Vendôme; and were erecting barricades in all directions. All this was done with great order; passers-by were allowed to cross the barricades everywhere on paying the usual tribute of carrying a stone to the barricade, and the National Guards on duty readily entered into conversation with the bystanders and answered frankly enough that they had taken up arms to defend the Republic, and sometimes gave an invitation to join them,—'*Prenez un fusile et venez avec nous; au moins nous mourrons republicains.*'

On Sunday, the 19th, the people emerged from their homes in the hope of learning something of the new power which had taken possession of the capital. As yet all was mysterious and inexplicable. No one knew the names even of that occult body, the Central Committee, who were at the bottom of this revolution. They were not much more enlightened on reading the two proclamations which were found posted on the walls. Of all the names thereto signed, two only were in any wise known to the public, those of Assi and Lullier.

We learn, in fact, from disclosures at the recent trials, that Lullier and Assi were the principals in bringing about this movement. Lullier represented nobody but himself, while Assi represented the International. Lullier, however, played the chief part, and according to his account, if the Government had made an attempt to get back the cannon three or four days earlier there would have been no resistance. Lullier was a naval officer, whose violent conduct had several times rendered him the subject of the sentence of a court-martial. His character presents a strange specimen of the revolutionary type; and his reckless courage, invincible nerve, and vehement power of speech, gave him still greater influence over the populace than was possessed by Flourens. He had upon occasions, as he boasted to the court-martial, stopped a whole mob with his own revolver. He had acquired a dangerous influence over the people before the investment, and the Government, to get rid of him, invented a mission for him to the French fleet in the Baltic. He came back, and went first to Bordeaux, returning to Paris in the beginning of March. The Central Commit-

tee had then possession of the cannon, but they were undecided as to whether they would make them a pretext for revolution, till they held a general meeting on the 15th at Vauxhall, a dancing-room in Paris; and knowing the energy of Lullier, and his power of carrying away the masses, sent for him, and asked him if he would take charge of the movement. Lullier says that, being convinced that the Assembly at Bordeaux meant to bring about another *coup d'etat* in favour of monarchy, he consented, and it was he who organised the attack on the Hôtel de Ville, and carried it. Lullier, however, was by no means at unison with the Central Committee, and did not share in the views of the International; he speedily showed that his views of the aims of the Revolution were quite at variance with those of the Committee. So they had him arrested and shut up at Mazas. He consequently was not a member of the Commune at all, and never was a member of the Central Committee for more than a few days; in fact, so insubordinate a nature could not work long with anybody. It is a curious proof of the influence which he possessed, and of his daring, that he managed very shortly to escape from Mazas, and then published the fact in the newspapers, saying that he had three hundred devoted adherents, who were at his beck day and night, that he walked the streets daily with three revolvers in his pockets, and dared the Commune to touch him. Although he consented to take the command of the Seine flotilla for a day or two, he does not appear to have acted in that capacity; and his chief occupation from the time he got possession of the Hôtel de Ville was to get rid of the party he had associated himself with. He was, indeed, at the time of the entry of the troops of Versailles, in secret correspondence with M. Thiers, having engaged of himself to sweep away the Commune—'*balayer la Commune*,' as he termed it.

Assi was previously known as the ringleader of the famous strike at M. Schneider's iron works at Creuzot, and as a leading spirit of the International. Before the 18th of March, M. Ernest Picard, knowing his influence, sent for him to ask for his assistance to get back the cannon. Assi, however, protested he could do nothing. After the Commune was established, his colleagues were jealous of his influence, which, as he is a man of talent, was considerable; irritated at his opposition to some of their schemes, they made use of the pretext that he was in secret correspondence with M. Picard for shutting him up; so that the two men who more than any others brought about the revolution had less than any others to do with its ultimate direction.

The chief point of interest, however, in the evidence of both Lullier and Assi, is the additional proof that the Government interfered too late in the matter of the cannon, and then interfered in an utterly ineffective manner.

Counter-proclamations were published to the address of the Central Committee on the part of the Government, who all withdrew to Versailles on the night of the 10th, determined at the last moment, it is said, by General Vinoy, who refused to remain longer in Paris, as he would not answer for his troops. The two proclamations of the Central Committee were addressed, one to the people of Paris, and one to the National Guard. That to the people took credit for having shaken off the yoke which shameless madmen had been endeavouring to impose upon the nation; and called upon Paris and France to settle the basis of a Republic,—*une Republique acclamee avec toutes ses consequences.* The state of siege was declared to be raised, and the people of Paris were invited to proceed to their communal elections. The address to the National Guard was in much the same terms; but it added that the mission confided to the Committee was at an end, and asked as an only recompense to be able to see the 'true Republic' established by means of the communal elections.

Paris was thus left utterly to itself—to treat with, or to shake off, the yoke of this new and unlooked-for usurpation as she best could. The National Guard of the quarters of the Bourse, the Louvre, and the best affected districts of the city, after they had recovered from their surprise, began to organise themselves for resistance. It was clear from the votes which were given in favour of the Government of the Defence during the siege, that the out-and-out supporters of the insurgent chiefs could not be more than fifty thousand in number; and those who might be expected to rally to the side of the more respectable portion of the National Guard might be reckoned as three hundred thousand. The manner in which the authorities threw away this chance of getting the mastery of the insurrection is utterly incomprehensible.

The days which intervened between the 18th of March and the 26th, the day of the Communal elections, were the most critical in all the history of the Commune. All the National Guard of the better districts, having entered and recovered their *mairies*, and several of the important posts of their own arrondissements, kept their ground, and show-

ed a firm front of resistance. In fact, nearly all the heart of Paris, almost up to the Hôtel de Ville, was in their power up to the very moment of the elections; but they were absolutely cajoled and tricked out of the advantages they had obtained by the absurd conduct of the leader whom M. Thiers sent them, by the utter want of decision of the Government, and by the foolish concessions of their own *maires* and deputies. As for the Government, all the action of which it then seemed capable was to run away.

The report of lieutenant-colonel Beaufort gives incontestable proof of this fact. The 'party of order' was forming fast in the city, and was animated with an excellent spirit. It is expressly stated that 'in less than three days 110,000 citizens, and the brave young men of the Schools of Law and Medicine, have rallied to the flag of the Government elected by universal suffrage.' The *Journal des Debats*, and other papers, were encouraging the movement which in several quarters had already removed the barricades. While the party of order was thus organising itself, what was being done at Versailles?

On the 20th the Assembly met there for the first time; but the disposition of the majority, faithful to the hatred which they seemed to have vowed to the capital, was still deplorable, and both they and the members of the Government concurred in comprising both the insurrectionary junta of the Hôtel de Ville, and the battalions of Belleville, and the inhabitants of the well-disposed quarters in one common condemnation. On the 20th, M. Clémenceau, deputy of Paris and *maire* of Montmartre, proposed a law for the election of a municipal council for the city. This proposition was received without demonstration. But when he asked for its immediate consideration—*l'urgence*—the Right burst out into furious protestation, amid which M. Clémenceau cried, 'Since you force me thus, I must be explicit. For two days Paris has been in complete anarchy. Two days ago the Government deserted the post which duty assigned to it.' M. Thiers protested violently. M. Clémenceau went on:—'Paris is in the hands of rioters. Paris must have some authority. What authority can she find now you are gone?' This declaration was the signal for one of those violent scenes which have too often discredited the French Assembly, but in the end M. Clémenceau's proposition was accepted.

The only action taken by the Government after the sitting on the 20th, was to send Vice-Admiral Saisset to Paris to replace Aurelles de Paladine as provisional commander-in-chief of the National Guard. This was certainly a concession on the part of the Government; but the choice of Admiral Saisset was very unfortunate. The conduct of the Admiral at Paris was of a most inexplicable and aimless character. On the 21st there was a sterile and stormy scene at Versailles. The leading members of the Left, and especially the deputies who were *maires* of Paris, adjured the Government and the Assembly to do something—either to fix a date for the municipal elections, or to give the National Guard some authority round which they could rally. M. Léon Say, the present *prefet* of the Seine, especially implored the Assembly to give the immense majority of the citizens of Paris, who were oppressed, a centre for rallying to—'This centre could but be the voting urn, which you yourself must open.'

The Government, however, were in no hurry to do this, but to make a show of doing something they sent Admiral Saisset to Paris. The Admiral, like most of the sailors engaged in the defence of the city against the Prussians, had gained a good deal of popularity. The first day of the insurrection, as he was walking on the boulevards, he was noticed and received a general ovation. This appears to be the sole motive which M. Thiers had for choosing him as temporary representative of the Government in Paris at that critical period. Admiral Saisset was in fact the last and sole person invested with Governmental authority in Paris before hostilities began. Had he been a man of political sagacity and tact, he might possibly have succeeded in pacifying the capital. But he was a mere sailor, inexperienced in revolutions, and of childish simplicity and absence of purpose. He appears to have been quite bewildered on the night of his arrival in Paris after his appointment. He came and looked at things, listened to all the flying reports, did not like either what he saw or heard, rushed back to Versailles, and the next day from his seat in the Assembly made an incoherent speech. However, he returned to Paris the next day, where an address to the people had appeared, with his name, announcing (and it has never been stated that he had any authority for the announcement) that the 'Assembly had completely recognised the right of Paris to its municipal franchises, and to elect all the officers of the National Guard; that the law on over due bills was to be revised, as well as the law about unpaid terms of rent; and that he would remain at his post until he was either elected or replaced.' After which, with the exception that he made his appearance in the useless unarmed demonstration in the Place Ven-

dôme, Admiral Saisset disappeared from view for some days altogether. No one apparently knows either what he did or where he was; and when he did appear again, it was only to undo everything the party of order had done without him, and to disarm them by proclamations in the face of the Commune; after which, in a day or two, he escaped to Versailles on foot, in plain clothes, in disguise, with a wig and spectacles, leaving his epaulettes, his sword, and his admiral's hat behind him. The general impression was that he had lost his head; and this was the man M. Thiers had charged with the pacification of Paris.

The non-federal portion of the National Guard had, just as Admiral Saisset gave them up, placed themselves in a very advantageous position for making head against the insurgents. The chief and most pressing difficulty was the matter of the elections, which the Central Committee had appointed for Wednesday, the 22nd. With respect to these elections, the Government was placed, by the courageous action of the Parisian Press, in such a strong position as no French Government had ever been placed before. The whole of the journals of Paris of any consideration, without distinction of opinion, protested on the 21st of March against the elections being held on the 22nd at the dictation of the Hôtel de Ville, and advised the electors to take no notice of the convocation. The editors of thirty-one newspapers took part in this declaration. Neither the Government nor Assembly took the slightest notice of this powerful manifestation of opinion, though the official journal of the Committee immediately responded with a threatening notice to the whole of the press of Paris, and the insurgent junta were in a measure influenced, for they put off the elections till Sunday the 26th.

This unanimous expression of opinion of the Press, however, inspirited the non-insurrectionary portion of the citizens to make the two demonstrations known as the demonstrations of the party of order. The first took place on the evening of the 21st. From two to three thousand Parisians without arms paraded the boulevards in procession, crying, '*Vive l'ordre! Vive le suffrage universel! Vive l'Assemblee nationale! Vive la Republique!*' and though their cries were somewhat too provocative, and their air too defiant for a party of peace, the demonstration went off very well. This encouraged them to attempt a larger demonstration of the kind the next day in greater numbers. A vast body, apparently without arms, though numbers carried revolvers and poniards, and several well-known Bonapartists took a prominent part in the procession, descended the boulevards in the same way, and this time determined to attempt to cross the Place Vendôme, within which the insurgent battalions had strongly fortified themselves with barricades, and kept an armed watch. It was a foolish step, no doubt, to take; nevertheless, it was on the point of succeeding; the front ranks of the demonstration, on marching towards the barricades of the Place Vendôme, came close up to the first of the three lines of sentinels outside. The front ranks on both sides got mixed up together; there was much shouting and waving of white handkerchiefs and attempts at fraternisation; eye-witnesses declare that the Federals were on the point of yielding—at all events, it was a moment of intense excitement and hesitation, which ended, no one exactly knows how, in calamity. Some say the peace party tried to wrench the muskets from the hands of the foremost insurgents; the insurgents declare that three summonses were given to the crowd to draw back; the American General Sheridan, who saw the scene from a window, declares that the first shot from a revolver was fired from among the peace party; at any rate, the insurgent officer in command gave orders to fire, and the Federals, some, it is said, firing in the air, and some among the crowd, discharged their fire-arms, more volleys succeeded, there were many victims, and the crowd fled in disorder. This massacre, although it spread at once terror throughout the metropolis, did not abate the rising spirit of resistance in the better quarters; on the contrary, it gathered force. The non-insurgent National Guards now took up arms, and, partly by show of force, and partly by persuasion, got, as we have said, possession of the greater part of all western Paris. The tension of suspense during the next few days was awful. Paris was divided into two hostile camps, and civil war in the streets might break out at any moment. For three days not a shop was open on the boulevards or in the adjoining streets; the *cafés* and *restaurants* remained all hermetically sheathed to the ground in their iron shutters; and the well-affected portion of the National Guards at their chief posts, the Ministry of Finance, the Bourse, and the Gare St. Lazarre, kept watch day and night. Their numbers increased every hour, and they were ready to fight rather than be forced to go to the poll against their will.

While the capital was in a state of universal anguish and suspense unequalled by anything which happened up to the time of the actual entry of the troops two months later, the Government and the Assembly seemed bent upon nothing but showing their hatred

for Paris and the Parisians. The deputies of Paris and the *maires* and other persons were continually flying backwards and forwards from Paris to Versailles, and from Versailles to Paris, to arrange either some terms of conciliation, or to get the Government to assist the party of order. A deputation of the fifteenth arrondissement and several other quarters went to Versailles to ask for the support of a corps of only five or six thousand men to aid the party of order in the resistance they were making. Their request was not listened to; they were told that it would be better for the National Guard to establish order unassisted.

On the 23rd, a scene of the most extraordinary character took place in the Assembly. On the motion of M. Arnaud de l'Arriège it was arranged that the *maires* of Paris who were in waiting should be received in the gallery, to make an important communication to the Chamber, which one of their number should read at the *tribune*. The *maires* appeared wearing their scarfs of office; the Left, at their appearance, cried *Vive la France! Vive la République!* The Right responded *Vive la France!* the *maires* cried *Vive la France! Vive la République!* upon which the whole Right flew into a frenzy, and part of them put on their hats. The tumult was so great that nothing could be heard; the President suspended the sitting. The *maires* never again appeared in the Assembly; and more deputies shortly after sent in their resignation. In the sitting of the 25th, however, the deputies of Paris delivered a letter from the *maires*, declaring their conviction of the urgent and immediate necessity of measures being taken for giving Paris a municipal council, and asking the Assembly for recognition of such steps as they might take in a spirit of conciliation in the alarming state of Paris. The letter was placed on record, but the Assembly did not even give it the honour of a discussion. One can hardly wonder at the unparliamentary exclamation of M. Floquet, deputy of Paris, on the following day, extorted by another outbreak on the part of the Right, '*Ces hommes-là sont fous!*'

The *maires* and deputies of Paris, on their return to the capital, naturally found themselves in a most embarrassing position; they had not a shred of authority, except such as the elections gave them; but they united with Admiral Saisset, who had some sort of official position, and asked the Central Committee to send them two delegates to discuss terms of conciliation as to the date of the municipal election. The Committee sent two delegates to the *mairie* of Saint Germain l'Auxerrois, then in possession of the party of order; and after an hour's deliberation it was agreed that the terms of conciliation proposed by Admiral Saisset, in the name of the Government, should be accepted, and that the elections should take place on the 30th of March. The Central Committee agreed to surrender the Hôtel de Ville, and all the *mairies* and other parts of Paris, only they were to hold the Place Vendôme and the forts, &c., up to midday on the 30th, after which they would surrender all they held, give up the cannon, and destroy the barricades. Both parties retired enchanted, and the delegates fraternised with the loyal National Guards; General Chanzy, who had been taken prisoner, was immediately released. A thrill of joy ran round Paris at this news. For three days people had been living in one prolonged agony of suspense, and now all seemed happily over. It was a repetition of the old stroy of the *baiser Lamouratte*. There was a fraternisation of the opposing battalions in various quarters; the *cafés* and shops opened on the boulevards as if by magic, and the promenaders thronged there as usual, with an indescribable air of delight and contentment. We cannot say whether this was a mere farce played by the Central Committee, in order to disarm the loyal sections. If it was it thoroughly succeeded; for Admiral Saisset immediately issued an authorisation for the loyal National Guards to retire from their posts and go to their homes. This proclamation of the Admiral was the signal for the total dissolution of the loyal National Guard. They dispersed to their homes, and gave up all the results of the stand they had made during these terrible days. The chief of the staff of the Admiral, M. de Beaufort, seemed to have an idea of the unutterable folly of his chief; for he concluded the report we have before noticed thus:—

'In quitting this brave and intelligent population which inhabits Paris, *and which is so neglected at this moment by the Government*, I feel it due to them to declare publicly the desire this great city has to maintain tranquillity, and the force it possesses for this purpose;' and ends by thanking them for the assistance they had given him.

Immediately the Central Committee were assured of the retirement of their adversaries, they assembled at the Hôtel de Ville under Assi; and Assi, in a double-faced speech, first declared his willingness to accept the propositions of Admiral Saisset, and then suggested that the delay fixed upon for the elections would be dangerous, and proposed to break off the negotiations. Bergeret supported him; and the Committee, late in the night, sent delegates to the *mairie* of

Saint Germain l'Auxerrois to declare that the elections must take place on the 26th.

These delegates returned to the Committee at midnight, with information *that the Government of Versailles would not even accept* the elections on the 30th. The Committee then declared the negotiations to be entirely null and void, and separated with cries of *Vive la République!—Vive la Commune!* The whole of the night there was a going to and fro between the *mairie* of Saint Germain l'Auxerrois and the Hôtel de Ville. At three o'clock in the morning Ranvier, a member of the Committee, came to declare that the elections *must* take place on the morrow. The deputies and *maires* thus taken aback, and in order, as they said, to save the effusion of blood and civil war, yielded to the Committee; and a joint proclamation was published calling on the population to vote on the morrow for the municipal council. In consequence of this the elections took place. The Central Committee had of course their lists of candidates prepared; there was not time for their adversaries to prepare theirs; but in the non-insurrectionary quarters the electors, according to the advice of the journals, voted for the *maires* and *adjoints* whom they had previously elected during the siege. The number of voters was much larger than might have been expected; about 200,000 persons took part in the elections, of whom 140,000 voted for the men on the lists of the Central Committee, and about 60,000 for the lists of their opponents.

The number of candidates elected should have been ninety-four, but by reason of double elections and absence of some of the candidates there were only eighty members elected to the new municipal government. Of these about four and twenty declined to serve. Flourens and Duval, two of the members, were the one killed, the other shot, in the first engagement; so that there were speedily twenty-six vacancies. These were filled up by supplementary elections on the 16th of April, when, of course, a very large number of the Parisians had escaped. Of the men thus elected the majority were working men.

The title of Commune was taken on the proposition of Eudes, a young man of twenty-six, named subsequently one of the Communal generals, who had been already successively a chemist, a short-hand writer, and an atheistic journalist, in which latter capacity he was condemned to six months of prison under the Empire; and he was one of those who made the foolhardy attack on the post of firemen in the month of August 1870. The *fête* of its installation having been celebrated at the Hotel de Ville, on the 28th, the Commune proceeded to publish an interminable list of decrees. The first decree abolished conscription, and declared that no military force except the National Guard should enter Paris. It affected to settle at once the rent question, by surrendering to the tenant all rents up to April 1872; it also suspended all sales at the *Monts de Piete;* so that the members of the Commune at once assumed the functions of Government.

There was an appearance of order at first in the manner in which the Commune organised itself, due, as we have said, to Delescluze, who proposed the provisional form of constitution which was adopted. Nine committees were elected to preside over the nine different departments of the Government. These elected delegates to act as the ministerial body of the Commune; Cluseret was Delegate of War; Jourde, of Finance; Viard, of Subsistence; Paschal Grousset, of Foreign Affairs; Protot, of Justice; Raoul Rigault, of General Safety; Léo Franckel, of Labour and Exchange; Andrieu, of Public Works; with a committee of five members to assist each of the delegate ministers. The ministers were to meet every night and arrange the general conduct of the departments; and their decisions were to be submitted the next day to the Commune at large.

This constitution, with perpetual changes in the distribution of parts, since disunion and suspicion soon set in among them, and the very leaders of the insurrection were sent to Mazas one after another, lasted till the 1st of May, when the Government of the Commune took a new form, borrowed from the Republic of 1793. A Committee of Public Safety of five members was named, but not without a strong opposition.

The first Committee of Public Safety was composed of Arnaud, working man, 28 years of age, Socialist; Léo Meillet, journalist, 27, Jacobin; Ranvier, decorative painter, 55, Socialist; Félix Pyat, man of letters, 60, Jacobin; Gérardin, contractor, Socialist. A fresh Committee was elected on the 10th of May. Ranvier and Arnaud retained their seats, and Gambon, proprietor, 51, Eudes, and Delescluze were the new members. This second Committee of Public Safety was named after Rossel, the last general of the Commune, had been arrested and escaped from his confinement, and carried off with him Gérardin, who had been appointed to keep him in custody. When the second Committee, however, came to take matters in hand, they could fix upon no one better than Delescluze to be Delegate of War; and then Billioray was elected in the place of

Delescluze as a member of the Committee. This Committee of Public Safety continued in office up to the end of the insurrection, but both bodies and their predecessor, the Executive Committee, were constantly meddled with by that mysterious *junta*, the Central Committee, representing more especially the International, which, although it had abandoned the Hôtel de Ville to the Commune, continued to sit at the Place Vendôme, fulfilling what it was pleased to call its special functions as the 'family council' of the National Guard. Rossel gave as an excuse for his resignation as Minister of War, the continual interference of this body with military affairs.

Such was the changing system of organisation which directed the affairs of the Commune. One strange circumstance, however, has been passed over. The minority who voted against the establishment of the Committee of Safety gave in their resignation, and published a joint letter signed by all, giving their reasons for so doing; but, on the threat of a vote of censure by the majority, they quietly, like Félix Pyat, resumed their places, yielding in fact to terror. The measures and decrees of this unstable organisation were naturally in harmony with its fluctuating character. Programme succeeded programme in vague revolutionary jargon, all equally indefinite and impracticable; and decree followed upon decree, each one frequently in direct contradiction to its predecessor. The legislation of the Commune was chaos itself.

The geographical or political limit of the Commune was never defined; it was to be supreme, without dictating to France—a free city in a free state—it was to have its own laws, its own executive, its own police; there was to be no army but the National Guard, which was to elect its own officers. Paris, it was said in the last programme, was by her combats and her sacrifices working for the benefit of all France. The benefits thus held out were, first, the organisation of a new municipal autonomy; and, secondly, total renovation of the nation politically and socially. The difficulty was great enough for Paris to settle the first point, but it became marvellously complicated by the introduction of the second. Moreover, there is not a single one of its own principles which the Commune did not habitually violate. One of the avowed objects of the insurrection was that the National Guard should elect the whole of its own officers, including the commander-in-chief. Yet Eudes, Duval, Bergeret, Cluseret, Rossel, and Dombrowski, were appointed and removed one after the other as despotically as if they had been fighting for the Czar of all the Russias; the Commune proclaimed the inviolability of personal liberty, liberty of conscience, and liberty of labour, while they filled their prisons with arbitrary arrests, shut up the churches, and constrained workmen by fear of execution to leave their workshops and shoulder the musket. They invited free manifestation of opinion, while all public meetings but those they chose to authorise were forbidden by fear of a fusillade; and all newspapers but their own were suppressed. They announced the end of militarism and functionarism, and Paris was turned into a camp ruled by military law, although the state of siege was nominally abolished. They may, of course, justify these violations of their principles by averring that they were but the pressing necessities of a state of war, but the Government of the late Empire justified its repressive measures in much the same way. Our work would be endless if we attempted to point out the confusion of ideas involved in their decrees. Wishing to give some satisfaction to the doctrine of social equality, they abolished the grade of general; but the chief of an army must be called something, so the *title* of General was allowed to remain, and the decree of the Commune did not prevent the designation from being used in their official journal for a single day. The quantity of *pensions* which they voted to the widows and relatives of soldiers of the Commune was enormous; and these were granted to the widows whether legitimate or not—to the children whether recognised or not.

The relation of the Commune to the journals is one of the most curious points in their history. Journals which had survived through every *regime* were suppressed one after the other; and the last decree of suppression exercised by the Second Committee of Public Safety left alive hardly any newspapers which were not the property of or edited by members of the Commune or their friends. This last decree of suppression was published on the 19th of May when the Commune was at its last gasp, and at the same time forbade the reappearance of any fresh journals till the war was ended. Rochefort, who had been already preparing for flight for some time, quitted Paris in disguise on the 19th of May, leaving a note behind him declaring that the *Mot d'Ordre* considered it beneath its dignity to appear in the present situation of the press. The Commune cannot escape being judged by the character of the journals which were left alive, and which were consequently the representatives of its opinions; and a more wretched bundle of trash could hardly be

collected in Mexico or the States of South America. The paper which evidently had the most influence with them was the *Père Duchesne*, edited by M. Vermesch, a vile and scandalous imitation of the sheet of the same name of the first Republic, whose denunciations often took effect, and to one of which was due the assassination of Chaudey, one of the writers in the *Siècle*, and an *avocat* of the *Cour d'Appel*. The pretext for his murder was that he was in office at the Hotel de Ville on the 22nd of October, when the Breton Mobiles fired from the windows.

Both before and after the cannon of civil war resounded within the city, various projects of conciliation were set on foot which excited a hope in the well-meaning that further conflict would be averted or arrested. All these essays of conciliation failed mainly because both parties claimed to exercise sovereign attributes, and neither would recognise the authority claimed by the other. With the Assembly and with M. Thiers, the Commune were a set of criminals with whom there could be no dealing; while the Commune denied the sovereignty of the Assembly altogether, and declared that it had been elected merely for a special purpose—to make the peace—an opinion which is shared, as a recent vote has shown, by one-third of the Assembly itself.

This point of the sovereignty of the Assembly was in fact the great rock upon which all the attempts at conciliation split. M. Thiers constantly upheld that it was sovereign, but the advanced Republican party in France were of an opposite opinion. One of the most interesting and impartial accounts of the irreconcilable differences which separated Versailles from the Commune is to be found in the report of the delegates of Lyons, which city had taken the opportunity during the war of forming its own Commune, which it still retains. These delegates were deputed by the municipal council of Lyons to visit Paris and Versailles, and to endeavour if possible to put an end to this fratricidal war. They went first to Versailles, and there had an interview with M. Thiers, who received them very cordially, and made an effort to win them over to his opinions, though their views were found to be irreconcilable in the matter of the sovereignty of the Assembly.

After this interview they went to Paris, which journey, they said, seemed at Versailles at that time an act of heroism; and indeed not only Versailles, but all the provinces imagined Paris to be a mere den of thieves and murderers, swimming in bood, and given up to violence and pillage. After visiting various quarters of the town, and interrogating persons of every class, the delegates were convinced that, though casual acts of disorder might be committed by subordinates, there was no such reign of violence as was supposed; and the political result of their inquiries was that Paris as a whole was not on the side of the Commune, against which the chief reproach they made was that it had for a long time omitted to issue a programme; and when it did issue one, the document was vague in character and exaggerated in expression. But, said the delegates, if Paris is not on the side of the Commune, it is still less on the side of the Assembly on the subject of its municipal franchises, as to which they found opinion unanimous.

After having thus made an examination of Paris the delegates had an interview with the Executive Committee. They there found the same obstinacy which they had encountered at Versailles, the same resolution to carry the contest to the extreme, the same resistance to all ideas of conciliation. Finding the chiefs of the Commune deaf to reason the delegates returned to Versailles to advocate with M. Thiers the restoration of the full municipal franchises of Paris; this latter point granted, they believed the work of conciliation and of putting an end to the civil war would be infinitely lightened. But they found M. Thiers on this point inaccessible to argument. M. Thiers on his side was a fanatic in the matter of centralisation. It was in vain the delegates argued that by refusing to grant fully the municipal liberties of Paris he exasperated its resistance, excited distrust, increased the number and passion of the combatants, and compelled the Assembly to gain its victory at a terrible and dangerous cost. It was in vain that they represented to him that that extreme centralisation to which France had been subjected had enervated the public spirit of the country, and was, in fact, the cause, in great part, of their recent calamities, and that the principle was condemned by the public opinion of France. M. Thiers replied that the law for municipalities which had passed on the 14th of April was the most liberal law which had been passed for years, that it satisfied the wishes of the country, though he objected to it that it went too much in the way of *decentralisation*. 'That which you call public opinion,' he said, 'is but the artificial movement of a dozen towns.'

The delegates of Lyons found it useless to argue the matter further after this last declaration; the Government, they said, denied the existence of public opinion, therefore the great cities of France must prove by

their energy that this public opinion really existed; and leaving to the citizens of Paris the work of contriving to fix upon a basis of arrangement, they transferred themselves to Lyons to propose a league with all the great cities of France, into which they hoped to induce the rural Communes to enter, to urge upon the Government of Versailles the adoption of the principle of municipal freedom throughout France. Subsequently, we know, that such a league was set on foot, that the municipality of Bordeaux took the lead in it, and a general meeting of delegates from all the great towns was announced to take place at the chief city of the Garonne; that the Government of Versailles forbade its meeting, and declared that if it did meet, it would be dispersed by force—and the project was abandoned.

The municipal law of the 14th of April which M. Thiers cited to the delegates of Lyons was *not* sufficiently liberal to satisfy the desires of the great towns; and, moreover, he himself had interfered to make it less liberal than it was intended to be. The Assembly, in a rare moment of good sense and in a transitory conciliatory mood, had, to the astonishment of all, voted that every town in France should elect its own mayor. After the vote was passed and this point was really law, M. Thiers came before the Assembly and threatened them with resignation unless they rescinded their decision, and unless they gave him the power of naming the mayors in all towns above 20,000 inhabitants. The Assembly yielded, and rescinded by vote what they had granted the day before, so that to this day no town which has more than 20,000 inhabitants has the right of electing its own mayor.

The insurrectionary party published their two last proclamations on the 24th of May, after two days' fighting in the city. The placards which contained these almost escaped observation, as they could only be posted in the east part of Paris, where the Commune still ruled; the first emanated from the Central Committee, who had the last word in this revolution, as they had the first; it gave out at the last hour their bases for a truce and a settlement. After throwing upon their adversaries the blame of the civil war, they offered a solution in the following five propositions:—

1. The National Assembly, whose functions were at an end, was to dissolve.

2. The Commune would dissolve.

3. The regular army to quit Paris, and to retire for at least twenty-five kilomètres.

4. A temporary power should be composed of the delegates of cities of 50,000 inhabitants, who should name a Provisional Government for the purpose of holding the elections of the Constituent Assembly and of the Commune of Paris.

5. There should be no reprisals either against members of the Assembly or members of the Commune for deeds posterior to the 26th of March.

Failing the acceptance of these overtures, the Central Committee would fulfil its duty up to the end, and throw upon their adversaries all the consequences of a refusal.

This was the most conciliatory and the most definite of all the proclamations of the Central Committee, and it was only wrung from them at the last moment, when they had lost half Paris and their cause was hopeless; yet it deserved consideration. It did, we think, really evince a spirit of conciliation and a certain sincerity. In the first place, it did not attempt to claim any special attributes for the Commune, leaving them, we imagine, to be settled by the future Constituent Assembly. In the next place, the Commune offered to resign, but made its resignation contingent on the dissolution of the Assembly. Lastly, it will be observed that the Central Committee claimed only immunity from reprisals for all acts posterior to the 26th of March, the day of the installation of the Commune, and thus excluded themselves from this stipulation, as its chief part was played from the 18th to the 26th of March. This, we imagine, was done to meet the constant declarations of M. Thiers, that he would except alone from the free pardon he offered to all, the assassins of the two Generals Lecomte and Clément Thomas. The Central Committee, therefore, offered to accept the responsibility of all acts committed before the installation of the Commune.

The only insuperable difficulty in this offer was the call for the dissolution of the National Assembly. This the Assembly would never have submitted to. They claimed then, as they claim now, to be a sovereign body; but this sovereignty was contested from first to last by the Commune; it is still contested by a very large proportion of the French nation; and after having been the cause of one civil war, it may yet be the cause of another; and why this question, which is insusceptible of argument, should be left undecided by an appeal to the country, it is not possible to see.

The last placard of the authorities of the Commune was the most barbarous of all its proclamations. It was headed *Commune de Paris*, and signed by the Commission of War; it was dated 9 o'clock on the evening of the 4th *Prairial* (May 24).

'Destroy immediately every house from the

windows of which there has been firing on the National Guard, and *shoot all the inhabitants*, if they do not give up and execute themselves the authors of the crime.'

This was the last decree of the Commune, No. 398, published, as we have said, on the third day of the fighting in the city, when the Commune were struggling not for existence—they had no hope of that—but with a determination to resist to the last drop of blood, and to use every means to prolong the conflict to the uttermost, and use every means of destruction. Up to this time, we believe, although there may have been executions of a military character, that the reign of the Commune had not been marked by any sanguinary deeds, always, of course, excepting the fusillade of the Rue de la Paix, which was, at any rate, not a premeditated crime. Neither do we believe that there was anything of the nature of general pillage or recognised acts of robbery. *Mort aux voleurs!* was of course posted up in various places, according to the due precedent of all revolutions; and though there was much talk of probable pillage, one heard of no actual cases of theft or robbery. The Bank of France, churches, and convents were of course treated as public institutions, since the Commune claimed to be the Government; and it is astonishing, considering that there was a very large amount of bullion and notes in the Bank of France, that the establishment managed to escape with only a loss of sixteen millions, of which only nine belonged to the city of Paris.

A distinction of course must be made between the conduct of the Commune towards private persons and towards those arrested on public grounds, under which denomination come M.Chaudey,the Archbishop of Paris,the Curé of the Madeleine, M. Bonjean, and the rest who were secured as hostages. The moving causes and manner of the arrests of the hostages have never been clearly set forth. Up to the time of the outbreak of hostilities, the insurrection had, with the exception of the temporary arrest of General Chanzy, mainly occupied itself with arresting its own members—Lullier, Assi, and others, whom it suspected of having plans of their own. Hostilities commenced on the 2nd of April; on the 3rd, Bergeret, Flourens, and Duval, generals of the Commune, made their march upon Versailles, which came to disaster, and in which Flourens was killed and Duval taken prisoner. As Duval was being led off to Versailles in company with other prisoners, General Vinoy passed by, saw by Duval's uniform that he was an officer, and had him brought up before him; and after a brief interrogation, Duval was led off into a field and shot.

The chiefs of the Commune were wild with rage, both at the defeat and manner of the death of Duval, and determined on adopting the system which the Prussians had used during the war—the seizure of hostages.* Consequently, the day after the execution of Duval, the Archbishop of Paris, the Curé of the Madeleine, and a great number of other priests and laymen, were arrested; and on the 5th of April the Commune published a proclamation and a decree. The proclamation began by stating that the 'bandits' of Versailles daily 'massacred or shot the prisoners,' and affirmed that the Commune would take eye for eye and tooth for tooth; while the decree declared, that all persons suspected of being in complicity with Versailles should be arrested; that a jury should be formed to try them, and that those condemned by the jury should be kept as hostages for the people of Paris. The most sanguinary part of the decree was in the fifth paragraph, which declared that any execution of a prisoner of war of the Commune should be followed immediately by the execution of a treble number of the hostages retained by the verdict of the jury. This decree, however, was never put into operation, so far as the institution of a jury was concerned, though we may presume that arrests continued to be made under the pretext of its first article, directed against persons suspected to be in complicity with Versailles. Numerous decrees were passed by the Commune relating to the examination of the prisoners, and some of the members showed a sincere desire to liberate all detained without proofs of complicity with Versailles; but these decrees never met with any attention, and the prisoners remained unexamined.

The first occasion on which the lives of the hostages were seriously threatened was at the sitting of the Commune of the 17th of May. Urbain, formerly a schoolmaster, who had installed himself with his mistress in the *mairie* of the seventh arrondissement Faubourg Saint Germain, of which he was the delegate, read a report to the Commune, which asserted that a woman attached to the ambulances of the Commune had been violated and killed, and demanded that ten of the hostages of the Commune should be shot within twenty-four hours. Raoul Rigault, the Procureur of the Commune, who appears that day to have been in a clement mood, expressed his desire to reply to the

* In both the system of hostages and the use of petroleum the Commune avow they took their lessons from the Prussians.

outrages of Versailles by striking the guilty and not chance persons—'I would sooner,' he said, 'let the guilty escape than strike an innocent person.' Protot, the Delegate of Justice, said the prisoners should be tried; and the Commune ended the discussion by referring to its decree on the matter and demanding its execution.

The actual assassination of the hostages is clearly traced home to Raoul Rigault and Ferré, his subordinate. It does not appear whether Protot, the Delegate of justice, had a hand in the final massacre, though he undoubtedly had in its preparation. The final list of the hostages destined to assassination was drawn up under horrible circumstances. Protot, Rigault, and Ferré, who varied their occupations as justiciaries of the insurrection with luxurious breakfasts and dinners at the Trois Frères, and attendance in the evenings at a private box which they requisitioned at the Délassements Comiques—a small theatre which, during all the time of the Commune, gave a series of burlesque performances, and latterly a piece called the *Conte des Fées*, accompanied with singing and dancing. On the night of the 21st—the night of the entry of the troops—this triumvirate were at their usual places in the theatre, and ordered supper for six in the adjoining *café*, where they were in the habit of supping after the performance, in the society of three of the female performers. While the three assassins were waiting at the supper table for the ladies to change their dress and join them, they wiled away the time by drawing up a list of the hostages to be massacred on the morrow. The confusion into which the sudden entry of the troops threw Paris on the 22nd made them alter their plans; but Raoul Rigault himself carried into effect the execution of Chaudey (who had been arrested on different grounds), on the 23rd.

Although participation in the crime of the massacre of the hostages cannot be brought home to the more moderate of the members of the Commune, yet, when they combined to place power in the hands of such men as Rigault, they may fairly be considered as answerable for the consequences. The character of Rigault was thoroughly well known; he came of respectable family, and was brought up for the bar; but habits of Parisian vagabondage, haunting low society, a passion for low revolutionary literature, and love of blasphemous talk, had utterly corrupted talents which were originally of a smart clever order. He was well known among his comrades of the bar as a mixture of shamelessness, blasphemy, and absinthe. His brain, indeed, seemed turned with the unbridled license in which he revelled, and he took pleasure in crazes of the most peculiar kind. One of these consisted in raking up at libraries the old journals of the Revolution in order to sound the praises of such men as Fouquier-Tinville, Marat, and the Père Duchesne; another in avoiding scrupulously to mention any word having any religious association. The Hôtel Dieu with him was the Hôtel Chose; the Faubourg Saint Antoine was the Faubourg Antoine; the Rue Saint Hyacinthe was the Rue Hya;* another craze was the strange fascination which he felt for tracking the movements of the detective police, and he was known to spend hours at a time in slinking about from street to street watching and divining the movements of sergents-de-ville. Such was the young reprobate whom the Commune appointed first delegate of Public Safety, and then Procureur-Général of the Commune. Rigault, when he gave up the place of Delegate of Public Safety, appointed Ferré, an accountant, a man of his own age but of still more odious and sinister character; and Ferré was perhaps the only man connected with the Commune who could have carried out the execution of the hostages with such unrelenting and horrible atrocity. Raoul Rigault, however, seems to have charged himself alone with the execution of Chaudey. At ten o'clock of the night of the 23rd, when the Tuileries and the Hôtel de Ville, and some of the most splendid edifices of Paris, had already been burning for hours, and the troops had advanced along the boulevards as far as the Porte Saint Denis, Rigault, with companions armed to the teeth, went to the prison of St. Pélagie, and sent for Chaudey to the registry, and told him that he must die at once. Chaudey protested gently, and Rigault reproached him with having caused the people to be fired at on the 22nd of January. He sent for a firing party from a neighbouring post, and after a few words Chaudey was led out and shot, Rigault drawing his sword and giving the word of command; three sergents-de-ville were shot immediately afterwards without trial.

The reign of massacre had now set in.

The partisans of the Commune had successively fallen off since the 18th of March, as each crisis denoted an increase of violence on the part of the Commune, till its soldiers, which numbered 200,000 at the commencement, consisted at last of but from 25,000 to 30,000 men. Those who were left were with their leaders necessarily the most desperate characters of all Paris—a medley of fanati-

* While Procureur-General of the Commune he wrote out a *laissez passer* for a priest thus:—'*Laissez passer M—, qui se dit le serviteur d'un nommé Dieu.*'

cism and crime. The passions of these men had hitherto been kept under some control —they now broke out in fury. Maddened with defeat, and reckless of life, the last defenders of the Commune died like some of the monsters of legend, vomiting fire and hurling massacre on all around them. On the night following the assassination of Chaudey, the convent of the Dominicans of Arceuil was invaded by a troop of federals wild with rage. The monks were driven out into the street and shot down on the public way. On the following days—the 24th and 25th—such members of the Commune as still headed the hopeless resistance, transferred themselves from the burning Hôtel de Ville to the prison of La Roquette, and instructed the miscreant Ferré to hold a court-martial on the hostages, who had been transferred there from Mazas. Ferré had arrived at La Roquette after having set fire to the Prefecture de Police, and given orders that the prisoners confined there should not be released, and so consumed alive. He presided over all the massacres which took place at La Roquette, surrounded by a mob of ferocious assassins and horrible women. The principal hostages were not brought before the court-martial at all, but simply called out of their cells and shot in batches. The turn of the Archbishop of Paris came first, and he and the President Bonjean, and four other priests were shot on the 24th.*

On the Thursday and Friday other batches of hostages were shot. The mock court-martial which sat all the time at La Roquette was chiefly occupied with condemning wretched gendarmes and chance prisoners captured in the streets. It was composed in part of young scoundrels of seventeen and eighteen, and the guard was a troop of furious harridans, the leader of whom was a woman who rushed about screaming wildly with a revolver in her hand, with which she threatened all who had a word to say for the prisoners. The imprecations of the crowd were directed chiefly against priests and gendarmes. '*Nous allons donc manger du gendarme*,' the chief virago cried when one had just been condemned. One drunken wretch, with his moustache dripping with wine as though with blood, amused himself with *tutoying* an expected victim and combing his beard with a bayonet. The firing parties made sport of their victims in various ways, but chiefly by letting them think they might escape, and then shooting them running. When they fell, insurgents advanced to finish them off, and then felt in the pockets of the bleeding victims for money. Monseigneur Surat was treated somewhat in this way: he was enticed out of his prison by being told he might leave, when women shot him with revolvers outside. The last act of Ferré at La Roquette was to call the convicted criminals in the prison into the registry, to tell them they were free, to give them arms, and then set them on sixty-six defenceless gendarmes, who were all massacred. He set at liberty at the same time the young criminals, and gave them cans of petroleum, bidding them go and spread fire about the city. This is the last we hear of Ferré's doings until he appears at the court-martial at Versailles, at which he was condemned to death, and at which other acts of as great barbarity were proved against him, committed apparently for the mere pleasure of taking away life.

His comrade, Raoul Rigault, died at least with more spirit; he was shot while defending a barricade in the Faubourg St. Germain, where his body was found hideously mangled.

There is a document signed Delescluze and Billioray which charges Rigault with the execution of the decree about the hostages. Rigault delegated his authority to Ferré.

If, up to the time at which the streets of Paris became the scene of actual warfare, the order and general respect for life and property was remarkable, considering that Paris was completely at the mercy of the populace, yet the fear of denunciations abounded, and arbitrary arrests of persons so denounced were frequent, till men between the ages of nineteen and forty, who remained in Paris, and who wished to escape fighting for the Commune, led a life of continuous terror. At first military service was declared obligatory only on unmarried men between seventeen and thirty-five; afterwards on all men, married or unmarried, between nineteen and forty; and this by a Government which had abolished conscription. Multitudes of young men, in anticipation of the measures likely to be taken by the Commune, and to avoid serving in this fratricidal war, fled away before the commencement of hostilities, but after the 5th of April all the railway stations and outlets of Paris were watched to prevent inhabitants liable to ser-

* One witness at the late trials deposed to having heard Ferré address the firing party before the execution thus;—'You know how many men they have killed of ours—six—well, we must shoot six of theirs.' No doubt a few of the men who took part in these sanguinary scenes were persuaded to begin their bloody work with arguments like these; and some of the firing party who were told off to shoot the Archbishop fell down on their knees before him and asked his pardon, till they were forced back with curses and blows by their comrades.

vice from escaping. Every device was practised daily by those who were styled *réfractaires* for withdrawing from the reach of the Commune. Some lived in the city in a constant state of flight, changing their domicile every two or three days. False passports were in universal demand—some escaped in the guise of women; some in the disguise of carters, draymen, and porters. Some let themselves down from the walls by night, and such ladies as remained in charge of the ambulances of the city were beset with imploring petitions from young men to be allowed to serve as hospital servants. The Commune issued decree after decree of increasing severity in order to catch the fugitives; the inhabitants at large were called upon to denounce them; then the *concierge* of every house was required to draw up a list of its inmates. As a punishment for the *réfractaire*, the Commune at first simply decreed that he should be disarmed; next he was assured that he was incurring the risk of a court-martial, whose *only* punishment was death. There was then issued a strange decree that all who refused to fight should be seized and marched off to prison by a band of the armed viragos of the Commune. Finally, on the 17th of March, the refractory National Guard of the 8th arrondissement were required to present themselves under pain of death within twenty-four hours. The streets were moreover drawn towards the end of the reign of the Commune by companies of Communal soldiers, and the houses examined one after the other, while posts of soldiers occupied all issues and forced all passers-by to show their passports. An immense number of unwilling soldiers of the Commune were so made, and it was an everyday occurrence to see some unfortunate fellows marched along the streets under a guard, having just been caught and impressed into the service of the insurrection. Terrible as was such a state of existence for half the male population of Paris, yet, respecting the court-martial, it is but just to say that its sentences, if severe, were rarely carried out. Rossel was the president of the first court-martial of the Commune, but as he was displaced by the Commune on account of his severity, his sentences were not executed, and after his dismissal the court ceased for some time to act at all.

There is one characteristic of the Commune which is perhaps more condemnatory of the movement than any other—that not a single member of it seems to have entertained an idea of self-sacrifice for the benefit of the population whom they had oppressed and of their wretched followers whom they had deluded. One of the most pathetic and noble stories of history is that of the mayor and burgesses of Calais presenting themselves, with ropes round their necks, before Edward III., in order to save the lives of their fellow-citizens. But, alas! we are very far from such heroism now-a-days. Not a member of the Commune but appears to have acted in the interest of his own fanaticism, conceit, or safety, right up to the end. Some, it is true, died fighting like wild beasts, dealing destruction round them to the utmost of their power, and that was all. And some, on being shot by the soldiers on the very scenes of their deeds of atrocity, still died with the catchwords of revolution in their mouth. The officer who led Millière up the steps of the Pantheon for execution, pointed out to him on the peristyle marks of shot. It was here that Millière, on the day before, had presided over the execution of thirty National Guards who had refused to fight at the barricades. Nevertheless, Millière, when he took his place, bared his breast, threw up his arms, and cried aloud as he fell, '*Vive la République! Vive le peuple! Vive l'Humanité!*'

Yet, monstrous as were the deeds of the Commune in its dying hour, had not the troops of Versailles by a fortunate chance and by the daring of Ducatel, a private of the Municipal Guard, been enabled to cross the ramparts by surprise, and so leave three or four days less to the chiefs of the Commune for preparation, the destruction of the city and the massacre of the inhabitants might have taken still vaster proportions. As the hour of its doom was approaching, the council of revolt was seized with a kind of *delirium tremens*, and they launched forth decrees upon decrees of the most sanguinary and merciless character. There is every reason to believe that they intended to destroy the whole city, but the preparations for destruction which they had ordered had as yet only been half carried out, and those which were wholly carried out were in part rendered nugatory by the unforeseen entry of the troops. It is not possible to accept the excuses for their Vandalism in the way of burning public and private edifices, that this was only done for the sake of defence. There are proofs that even before the insurrection had begun, the revolutionary party had contemplated the burning of Paris, and they had long resolved to destroy the Column of the Place Vendôme. A letter of Cluseret's has just come to light, written last January twelvemonth from New York, where he was founding a branch of the International; in this letter he tells his correspondent that an attempt to get possession of Paris will soon be made, and adds, 'On that

day Paris will be ours, or it will cease to exist!' The journals of the Commune vaunted day after day that their plan was to reduce Paris to ruins. Jules Vallès proclaimed more than once with exultation that all precautions were taken to prevent Paris from falling into the hands of the enemy, and made use of this sinister phrase, 'If M. Thiers is a chemist he will understand us.' Formal instructions were issued by the Commune in posted placards for charging all the sewers with gunpowder near the barricades, large provisions of petroleum had been prepared, and requisitions of this and other inflammable materials were being made up to the last moment. What other meaning, indeed, could be attached to the demands of the official journal of the Commune for the citizens to render an account of all the chemical products they possessed, and supplementary orders of the following kind: 'The possessors of phosphorus and chemical products which have not replied to the appeal of the official journal, expose themselves to an immediate seizure of those articles'? Delescluze writes to Dombrowski: 'Blow up and burn the houses which impede your system of defence. . . . The defenders of the Commune ought to want nothing. Give to the necessitous *the goods* (*les effets*) which are in the houses to be demolished.' Here is a still more incendiary order of the Central Committee, dated the 23rd of May: 'Every house from which a single shot is fired, or *any aggression whatever* committed, against the National Guard, will be immediately burnt.'

There was a large store of petroleum at the barracks of the Château d'Eau, in connexion with which this order was found on a National Guard, a chief of a barricade: 'The citizen delegate commanding the barracks of the Château d'Eau is invited to give the bearer the cans of mineral oil necessary for the chief of barricades of the Faubourg du Temple.' Signed Brunel, *Chef de Légion.* There was, in fact, a band of *fuséens* formed of the reprobates, worst women, and vagrant boys of each district, for burning the quarter, of which the following order, signed by Delescluze, Régère, Ranvier, Johannard, Vesinier, Brunel, and Dombrowski, is testimony; this also is dated the 23rd: 'The citizen Millière, with 150 *fuséens*, will burn the suspected houses and public monuments of the left bank. The citizen Dereure, with 100 *fuséens*, will undertake the 1st and 2nd arrondissements. The citizen Billioray, with 100 *fuséens*, is charged with the 9th, 10th, and 20th arrondissements.'

The result of these orders was, that not only were the splendid edifices burnt whose names are known to all the world, but about two thousand private houses besides. Indeed, as the insurgents were driven back step by step within Paris, they only retired leaving ghastly ruin everywhere behind them. By the side of all the formidable barricades with which the many streets of Paris were intersected, were seen piled heaps of incendiary materials which the National Guard carried with them into the houses which they occupied in the vicinity, and when they found they had to retreat they ordered the inhabitants to assist them in daubing the walls and floors with petroleum, and if they refused shot them or threw them into the flames. In the burning houses in the Rue Royale a series of these horrible dramas were perpetrated which were renewed in almost all quarters of the city. One of the most frightful of these scenes took place on the 25th in the Boulevard Saint Martin, between the theatre of that name and the Théâtre de l'Ambigu. The Insurgents massacred all the inhabitants, women and children included, of every floor in the house, because in the general pillage and havoc which they were making of the premises one of the band got a blow from an indignant proprietor. They then set fire to the building and to the neighbouring theatre, which was one of the most popular in Paris.

These explosions of incendiary revenge added a new and awful element of terror to the sensations of such unfortunate inhabitants of Paris as witnessed the last terrible days of the Commune. For nearly two months nerve and brain had been tortured by the incessant thunder of cannon which raged all around the city and shook the houses from roof to basement. Abandoned to the fury of civil war, and distracted ever and anon by constantly recurring crises of agonising suspense, the capital, in spite of the furious frenzy which ruled supreme, had presented for the most part a ghastly aspect of solitude and desolution. The Boulevards and the Champs Élysées, which the visitor is accustomed to see thronged with gay and light-hearted multitudes, were as deserted as ofttimes in broad day as a city at dead of night, and as barren of life as the Great Sahara itself. Along the immense causeways, void of traffic and of the usual trains of elegant equipages, the most frequent signs of activity were the battalions of the National Guard ever marching to the scene of conflict, and accompanied in their march by groups of terrified wives who clung to their husbands to say perhaps a last farewell, and frequent mourning processions, headed by the coffins of citizens slain in civil war, draped around with the red flags of the

Commune, and followed by weeping women and troops of comrades with arms reversed, wended their way daily through the desolate streets to the suburban cemeteries. This prolonged epoch of misery, fear, madness, and desolation, was at last broken up by the unexpected entrance of the troops of Versailles, and the supreme moment which all had held so long in dread had arrived, that of civil conflict in the streets. For two days and one night the inhabitants of the chief thoroughfares of western Paris lived under an ever-raging storm of shot and shell; the roar of cannon, the fierce, harsh growl of the mitrailleuse, and the running fire of musketry was now close around them. The inhabitants of many houses were so taken by surprise that they had omitted to lay in provisions, and the baker's or the butcher's shop a few doors off was, with the torrent of deadly missiles which swept up and down the streets, as inaccessible as if it had been in another hemisphere.

In the midst of a multitudinous city hundreds of families seemed as cut off from all help from human kind as if they had been in a ship at sea in the centre of a typhoon. Nothing was to be done amid the infernal uproar but to remain behind closed shutters and doors and wait. The appearance of a curious head at a window was sufficient to draw a shower of bullets in its direction; so women sat away in remote corners, even in the cellars; and the hours seemed interminable, even to the bravest, till the cries of *Vive la ligne!* in the street announced that the neighbouring barricade was carried, and that the reign of the Commune was over in that locality. It was no marvel that the inhabitants should at once all rush into the street to verify the reality of deliverance, and that strangers should congratulate each other on the end of so much misery; but the unceasing thunder of civil war was going on a street or two off, and days yet were to pass before it was to cease altogether. However, people gave themselves up to the rapture of the feeling of safety and freedom for a time. But it did not last long: for the arrival of dusk revealed such an aspect of the whole south-eastern sky as filled the air with a fresh terror. One lurid canopy of fire seemed to be impending over and about to engulph the entire city. People rushed wildly to the tops of houses, or to such open spaces as were accessible, to get a view of the new portent; for hemmed in as they were still by the murderous front of civil war it was perilous to go far from one's quarters. To those who could get a view of the conflagration, whole quarters of the city seemed in flames, and the fire to be gaining strength and approaching at every moment. People remembered then despairingly the reiterated threats of the Commune, that they would lay all Paris in ashes at their fall.

The Red Commune, it seemed, was keeping its word; it would die in a sea of blood and under a canopy of fire. The stricken crowds stood gazing with sickening hearts at the awful light reflected in the heavens, and turning their lurid faces on each other muttered in low voices their worst fears and suspicions. It was said that the regiment of firemen had been dismissed, and the hoses of the fire-engines destroyed, for this eventuality; and there were whisperings that whole quarters were mined, and that it wanted but the spark of an electric wire to lay them in ruins. And when the worn-out inhabitants retired to rest they felt a horrible dread, which surpassed that which beset them the night before when they tried to rest amid the crash of mitrailleuses and the roar of cannon. On the following day set in the panic of the *pétroleuses;* a name coined for the occasion, which was soon in the mouths of all. Whether such women as the imagination pictured to itself—dark female fiends, gliding furtively about from street to street and dropping petroleum and incendiary chemical compounds down into cellars and into open crevices in doors and shutters—did at all exist, we have as yet no proof, but certain it is that they were universally believed in, and that hundreds of innocent creatures were taken as such and summarily shot. If a poor woman were caught with even a cruse of oil she was in danger of her life. Imagination, indeed, makes revengeful cowards of multitudes in insurrectionary times in Paris, and is terribly inventive. It has been proved that a great part of the atrocities laid to the charge of the Insurgents of the terrible days of June, 1848, were pure inventions; and such inventions were of frightful frequency in the days during and succeeding the suppression of the Commune, and served to exasperate the minds of the people, and intensify the thirst for vengeance, which was already insatiable enough. The atrocities of the Commune, however, were sufficiently diabolical without calling in the aid of fiction; and their dying fit of incendiary rage increased a hundredfold the horrors which attended the suppression of the revolt. History will never, probably, be able to give an account of the number of innocent victims who perished at their hands, and the number of those who became involved in their ruin was greater still. Paris, for a few days, was one immense field of slaughter and a

veritable charnel-house; and amid the enormous numbers of prisoners taken and shot without judgment, numbers of guiltless people must have perished. Indeed, in the hour of victory, the baser and more malignant passions of human nature broke loose in a way which makes one forget somewhat the barbarities which had been the occasion for their display. People who had either submitted to the reign of the Commune, or coalesced with it, to show their innocence urged on the troops to the massacre of their prisoners, and private enmity made use of every form of cowardly anonymous denunciation, of which hundreds were received by the military and police every day. Women and children were heard horribly to exult over the constant reports of the executions, without judgment, of masses of prisoners, and the verb *fusiller* was repeated with satisfaction in almost every breath.

But the horrors of the closing scenes of the Commune were so great as to be both painful to the memory and not suitable for detailed description; while the political and moral lessons to be drawn from them are not of such interest as those which are to be drawn from a consideration of its origin and of its earlier phases. After hostilities had been commenced, it was necessary perhaps that the fratricidal folly and intolerance which provoked the conflict should pursue it to its awful end; but it would be a slander on the order of the world to say that a catastrophe which does dishonour to humanity might not have been avoided.

Art. IX.—1. *Hansard's Parliamentary Debates.* Session 1871.
2. *Report from the Select Committee on Public Business in the House of Commons.* August 1848.
3. *Report from the Joint Committee of the House of Lords and the House of Commons on the Dispatch of Public and Private Business in Parliament.* August 1869.
4. *Report from the Select Committee on Business of the House of Commons.* March 1871.

The physical year has been one of unusual character. It has been the cause of anxious hopes and fears to all whose interests depend upon the influence of the seasons. A frosty winter was followed by a tardy spring. A cold and ungenial summer brought heavy rainfalls and violent gusts, relieved by few and fitful bursts of sunshine. The harvest has indeed been late, but, forced on at the last by sudden heat, not so late as had been anticipated. The principal grain crop may not have fully realized the farmer's desire, yet it has proved a substantial and valuable yield. Of the other products of the soil, although some have disappointed hope, the majority have been satisfactorily garnered; while the progress of that important factor in agricultural economy, the root crop, gives good promise for the future.

The season of the political has borne a close resemblance to that of the physical year. It has been marked by abnormal features, it has been fitful and gloomy, and the source of alarm and disappointment. It has had its failures and its shortcomings, yet its fruits, though matured late, and reaped at the last in hot haste and at the cost of extraordinary exertions, will be admitted, on a deliberate survey, to have been neither deficient in quantity nor, in the majority of instances, wanting in quality, while even among those that have not been gathered in, more than one has been advanced to a point which affords fair hope of an early success.

There is, however, this difference to be observed that while the returns of the year to the husbandman's toil are freely and gratefully recognised, the fruits of the political year are depreciated or ignored. That the Tories and other opponents of the Government should act after their kind is but natural; that many true and earnest Liberals should feel annoyance and disappointment is, after much that has taken place, to be expected. In the interest, however, of Liberal principles, and for the credit of the party, we must protest against indulgence in that disposition to detraction and despondency which has been exhibited by so many actors in, and critics of, the Parliamentary drama. After a respite from the acrimonious controversies and the personal feelings engendered by the strain and suspense of the Session, Liberal nerves should be sufficiently braced, and Liberal constitutions have acquired tone enough, to take a calm and dispassionate measure of its results.

Everyone will admit that the Sessions of 1869 and of 1870 were marked by great and signal achievements. We shall presently recall what those achievements were. We believe that the work accomplished in the Session of 1871 may challenge comparison with that of either of its immediate predecessors.

The huge monopoly of purchase in the

army, with its rank growth of vested interests, and all the traditions of caste and wealth in its favour, has been swept away; the privilege of nominating officers to the Militia and the Volunteers has been removed from the private patronage of great nobles and vested in the Crown, and the ground has been otherwise cleared for Army Reform. The Universities have been compelled to surrender; their gates have been opened wide, and the doors even of the Colleges unbarred. The Trades' Union Act, and the Act amending the criminal law in respect to violence, threats, and molestation, offer a remedy for difficulties of long standing on terms equitable to the employers and the employed. The Westmeath Act, as it is commonly termed, has unearthed the Ribbon Society from its lair and sped a home-thrust at its power. The Local Government Board Act is a considerable measure of administrative reform, and opens the way for much-needed improvements in the conduct of local affairs, and a comprehensive system of sanitary regulations. The Ecclesiastical Titles Act has happily disposed of a protracted controversy between rival Churches in a manner agreeable to the principles of religious equality, yet without impairing the position or wounding the susceptibilities of the Protestant Establishment. The Local Government Act for Ireland has supplied a want long felt, extending to municipalities and other local authorities in the sister Island legislative facilities corresponding to those enjoyed by similar authorities both in England and in Scotland. The principle of secret ballot has been so decidedly affirmed, and the machinery for giving effect to it so thoroughly canvassed, by the House of Commons, that its way through that assembly is made plain, and its acceptance at no distant date by the other House insured. Amid the pressure of domestic legislation, the state of affairs abroad, and our own relations with foreign countries, have been of a character to impose a heavy strain upon the Government of the day, and to demand the continued exercise of vigilance and of judgment on the part of Parliament. The firmness and tact of the Foreign Office successfully and honourably maintained our position as neutrals in the war between France and Germany; a task rendered one of singular difficulty and delicacy by the danger of Belgium, our immediate vicinity to the countries engaged, and the irritating question of the supply of materials of war by a neutral to a belligerent. The termination of the Black Sea dispute by a settlement which obtained the concurrence of all the parties concerned, met with the unmistakeable approval of Parliament. Still more did the Treaty of Washington, a monument of diplomatic skill and industry, which has not only removed existing and future sources of danger to friendly intercourse between this country and the United States, but in giving the sanction of both countries to the principle that nations should not be the judges in their own cause, has set an example worthy of imitation by all civilised Powers.

These are results which should suffice to redeem the Session from the charge of barrenness, and the Government from that of inefficiency. Any one of the principal measures above adverted to would have made the reputation of a Session as Sessions were a few years ago. Nor have minor measures of utility been wanting, although amid the din and tumult occasioned by the progress of their mightier contemporaries they have failed to receive the notice to which the care and the labour they represent entitle them. Such, among others, are the Factories and Workshops' Act, the Pauper Inmates' Discharge and Regulation Act, the Prevention of Crime Act, the much-needed Act for the better Regulation and Inspection of Railways, the Metropolis Water Act, the Gas Works Clauses Act, the Vaccination Act, the Parliamentary Witnesses' Oaths Act, the Act disqualifying Bankrupt Peers from sitting in Parliament, and the Statute Law Revision Act, which has relieved the statute-book of nearly 1,100 obsolete Acts, extending from the reign of William III. to the period of the Union with Ireland.

How comes it, then, that not having suffered a Woerth or a Forbach, having, on the contrary, achieved marked successes, and encountered no enemy who dared offer him a pitched battle, the leader of the Government finds his forces demoralised, his prestige impaired, and his warmest allies assuming an apologetic tone on his behalf? *Tout peut se rétablir* was the announcement of the French Emperor after his double defeat, and those words express the mixed hope and doubt which prevailed in the mind of every well-wisher of the Liberal Government when Parliament was prorogued.

In the first place, it will hardly be denied by the most virulent opponent, that the Government has had an extraordinary run of ill-fortune. Their first and greatest misfortune was the Franco-German war. They acceded to office as a Government pledged to economy, especially in the military and naval services of the country. No sooner had they by great exertions effected army retrenchments in one direction, disbanding colonial corps and concentrating English regiments at home, than the sudden out-

break of war, and the danger of Belgium, compelled them to incur fresh outlay in another. Worse than all, it enabled opponents to represent them as obliged to reverse a mistaken policy, and to restore in haste all they had just undone. Again, no sooner had they, in deference to the teachings of the war and the manifest wish of the nation, introduced proposals for systematically strengthening our home defences and organizing our land forces, than the conclusion of peace came to deprive them of that impetus on the part of the country without which no considerable reform had heretofore been carried in the teeth of strong and adverse interests. The loss under their administration of the ill-fated 'Captain' threw upon them the entire apparent responsibility for an experimental vessel, selected, adopted, and constructed by order of their predecessors in office. These had been willing enough to claim her as their own as long as everyone was proclaiming her a triumph of naval architecture. As soon as she had perished, the point of view was changed. The present Board of Admiralty, forsooth, was answerable for the vessel because of certain departures from the original model allowed by her author and builders during the process of construction; while the late Board at the same moment, with an audacity of inconsistency truly remarkable, disclaimed all responsibility on the ground that she was the design of a private inventor, and built in a private yard.

The case of the 'Megæra' is more intricate, being complicated, not only by a change of Government, but also by a subsequent change in the head of the Admiralty, and by Mr. Reed's retirement. It appears that in the interval between Mr. Childers' relinquishing the active duties of his office and Mr. Goschen's accession thereto, the 'Megæra,' a vessel retained on the list of storeships by the preceding Board of Admiralty, was selected to be sent to Australia; not, however, before she had been docked, examined, and pronounced fit for the service. Complaints were made at the time of the ship's departure of her being overloaded. The grounds of these complaints were examined into and removed at Queenstown; and the admiral at that port, having pronounced her fit to proceed on the journey, she proceeded accordingly. News then came that she had met with an accident, from no cause connected with the previous complaints, but one the explanation of which perhaps remains to be afforded. Meanwhile, an outcry is raised against the Government of culpable negligence in having neglected warnings. It does not, however, appear that the origin of the disaster now alleged—viz. the thinness of her plates—had ever been made known to the Admiralty by Mr. Reed, who, according to his own statements, was aware of this danger before the vessel sailed. Immediately following upon this untoward event, admirals and captains and staff-commanders, in a calm sea, in broad daylight, ran one of the finest ironclads in the navy on to a well-known rock at one of our stations, and straightway half the world is induced to believe that the fault somehow rests with the Government.

The abandonment of the so-called Berkshire campaign came to crown the mishaps of the Ministry. The decision was arrived at after a report from the Quarter-Master-General and the Inspector General of Fortifications and a minute of the Surveyor-General of Ordnance, dated July 28th, the main cause assigned for a change of plan being the anticipated lateness of the harvest, which, as was then expected, would not admit of the ground being cleared for the movement of troops until a day which would have thrown the manœuvres into so advanced a period of the year as to be unfavourable to the proposed operations. No sooner had this conclusion been announced than the wet and chilly weather disappeared. August set in with cloudless skies and brilliant sunshine, and so hastened the ripening of the crops, that the harvest, instead of falling, as there had been every reason to suppose, a full month later than usual, proved not more than a fortnight behind that of ordinary seasons. The success which has since attended the experiment of a mimic campaign, in which a British army larger than that under the orders of the Duke of Wellington at Waterloo, has taken the field, should go far to remove the unfavourable impressions created by the modification of the original plan.

Lastly, it must not be forgotten that death or sickness deprived the Government within a very short space of time of three of its most important members. No new member of the Cabinet could adequately make up for the loss of a statesman of Lord Clarendon's standing and recognised ability. To find a substitute for Mr. Bright was a sheer impossibility. Mr. Childers' parliamentary tact, fertility of resource, and conciliatory address have also been sensibly missed.

That the Government, in gold-digger's language, 'struck a streak of bad luck,' cannot be fairly denied. At the same time it must be admitted that the mishaps that have pursued them have been chiefly due to their own want of skill in parliamentary operations. Of the two rival leaders of the

House, it may be said that Mr. Gladstone excels in strategy but is deficient in tactics, while Mr. Disraeli is dexterous in tactics but wanting in strategy. Nevertheless, the great and fundamental error in the campaign just closed was one of strategy. The Government undertook more operations than could under the most favourable circumstances have been brought to a successful issue in the time allotted to a session, and engaged too many enemies at once. Intoxicated by the successes of its two first years of office, it apparently imagined that nothing was impossible. It had, indeed, good cause to be elated. No Government, unless it be that of Lord Grey in the years 1832 and 1833, had within a similar space of time achieved such great results. It had in the first session of the present Parliament disestablished and disendowed the Church in Ireland, and severed the connection between the State and the other religious bodies in that country. All this it had accomplished with a completeness of conception and a mastery of detail that elicited the admiration even of its strongest opponents. The achievements of the second session surpassed even those of the first. The Irish Land Bill dealt with a question that had daunted the courage and baffled the ingenuity of a series of Administrations in a spirit and with a skill that met with the support and approbation of Irish representatives from all parts of the House. For England a comprehensive measure of education was carried which will, it may be hoped, bring education home to every cottage of the country and every court and alley of the towns, and remove from us as a nation the reproach of being so intent upon pecuniary gain, and so bigoted in our sectarian views, that we suffer ignorance to spread over the land rather than make a sacrifice or a concession in respect of either. In the course of these Sessions, by two brilliant and triumphant budgets, the Chancellor of the Exchequer paid off a debt of, in round numbers, 4,600,000*l.* for the Abyssinian war, and provided for a deficiency of 381,000*l.* in the ordinary expenditure, both of which were bequeathed to him by his predecessor: and gave relief to the public by the abolition or reduction of taxes to an extent of not less than 8,000,000*l.* a year, financial achievements which will bear comparison with the most successful even of Mr. Gladstone's feats in the same field. Nor were the other great departments found halting in the discharge of their several tasks. Large reductions of expenditure were effected in the naval and military services, while the strength of the country for defence at home, or for offence in Europe, so far from being diminished, was actually raised above what it had been under the preceding Administration.* Besides the measures we have mentioned, others of considerable importance were passed in the same years. The Assessed Rates Act restored in an improved form a cheap and convenient method of collection, which the political exigencies of the Conservative Administration had led them to sacrifice to an illusory pretence of basing the suffrage upon personal payment of rates. The compound householder was revived without the loss of his franchise; and a grievance created by the clumsy and imperfect Reform Act of 1868, and sorely felt in cities and boroughs, was removed. The Peace Preservation Act provided for the repression of agrarian crime and the maintenance of order in Ireland, an instrument at once more effectual for the purpose and less oppressive to the liberty of the community than the old device of suspending the Habeas Corpus Act. The Contagious Diseases (Animals) Act furnished safeguards against the re-introduction of the cattle-plague and other pests among our flocks and herds, through the importation of foreign animals, and means to check their spread if generated at home. It at the same time solved the question of reconciling the interest of the consumer, the producer, and the foreign trader in respect of the Metropolitan Cattle Market, a problem which had baffled the ability of the 'farmer's friends.' These and measures such as the Endowed Schools' Act, the Bankruptcy and Imprisonment for Debt Act, the Telegraphs' Pur-

* The following statement will show this:—

A. Gross strength of all ranks of the army serving at home—

1868 . . .	87,505
1870 . . .	89,051

B. Reserves liable to serve with the army in case of war—

1868 . . .	3,545
1870 . . .	21,900

Total available at home for service in time of war (A+B)—

1868 . . .	91,050
1870 . . .	110,951

Moreover the number of cadres at home in the years compared were—

	1868.	1870.
Regiments of Cavalry,	19	22
Batteries of Artillery,	97	105
Companies of Engineers,	25	30
Battalions of Infantry,	53	75

So that with a greater numerical strength, there was also a better organization for a further increase. The above figures for 1870 are exclusive of any portion of the 20,000 men voted at the close of the Session in consequence of the outbreak of the war.

chase Act, the Army Enlistment Act, the Naturalisation Act, the Extradition of Criminals Act, and others, distinguish the years in question as years of great legislative successes. The memory of political incidents is so fleeting that it is necessary, even at this short distance of time, to recapitulate some of the circumstances connected with the past Session, before venturing to pronounce a judgment upon its character.

The war between France and Germany burst, in the summer of 1870, like a thunderbolt out of a clear sky. Prudence and treaty obligations at once called upon this country to make preparations to meet any emergency that might arise, especially in regard to Antwerp. Although the regular army at home was already the largest the present generation had seen, except immediately after the close of the Crimean war, provision was made for increasing it by 20,000 men; and an outlay of 2,000,000*l.* for military purposes was sanctioned. But at this time the tide was running breasthigh; the treaty for the defence of Belgium met with general approval, and men of all parties and of no party—Radicals, Whigs, and Tories—concurred in approving the military proposals of the Government; so much so that in the House of Commons, when a division was called, only five members could be found to vote against them. The unexpected superiority of strength displayed by one of the combatants soon turned feelings and apprehensions into fresh channels. As the struggle raged faster and hotter, the national mind, already possessed with that vague and uneasy sense which always prevails when blows are being struck, that, if we are not giving and taking some, we are in some way guilty of laches and forfeiting our character, became doubly perplexed and disquieted. The alarmists and the panic-mongers, who trade upon their fears, fanned the flame. There was, indeed, grave cause for reflection, though none for alarm. The spectacle we were witnessing was no mere fight for the champion's belt between two giants armed with every resource of strength and of science. It was a trial of two military systems; one, the comparatively modern one of a purely professional standing army carried to the utmost development by the warlike genius of France; the other a revival, adapted to the requirements of modern scientific warfare, of the early mediæval practice under which every man was bound to serve, and the army was, in fact, a nation in arms. France had long taken rank as the first military Power on the Continent. We had repeatedly, as friend or as foe, measured ourselves with France, and felt that we had pretty well gauged our relative strength and qualities. Now, however, a new power, based upon a new system, had appeared upon the scene, and the might of France had at once gone down before it. The teachings of the war were apparent for those who cared to learn. If we would maintain our present military position relatively to other countries, we must weed our army of unprofessional officers; we must increase the proportion borne by the scientific branches, especially the artillery, to the rest of the force; we must provide more trained soldiers, whom we could on an emergency summon to the colours, and at the same time avoid permanently withdrawing greater numbers from the pursuits of industry; we must improve the officers and raise the efficiency of the Militia, and appeal to the zeal and energy of our Volunteers to devote, if possible, still more time and labour to their country, and to submit to a stricter discipline. In short, we must raise the standard of our professional soldiers, and call upon our auxiliary and amateur soldiers to qualify themselves as nearly as possible as professionals. This task the Government was obviously called upon, in accordance with the lessons of the war and the loudly expressed wishes of the country, to undertake. They accordingly introduced a measure for the extension and improvement of our land forces; and Mr. Cardwell's proposals at the opening of the Session were, on the whole, received with signal favour.

These proposals were briefly as follows:—To keep up the strength of the regular army, more especially the artillery service, and expedite the formation of an efficient reserve, by retaining the additional men voted in the preceding autumn. To provide power of expanding that army by keeping regiments at home, instead of dispersing them over the globe, and thus having cadres ready to be filled up. To add to the Militia 45,000 men, and to take power for its indefinite increase under voluntary enlistment. To remove likewise the limit to the number of the Army Reserve. To assimilate as far as possible the officers of the regular and of the auxiliary forces, and make them available for interchange. To abolish the privilege of procuring promotion in the army by purchase. To withdraw from the lords-lieutenant of counties all powers and jurisdiction over the Militia, Yeomanry, and Volunteers; and to raise the officers of these forces to the status of Queen's officers. To connect the Army, Militia, and Volunteers, and with this view to place them all under general officers. To create a local connexion between the two first by recruiting them from certain districts, and training the recruits to-

gether. To provide a stricter inspection of Volunteers, to require their officers to give proof of their qualifications, and to put this service under the Mutiny Act and the Articles of War, when assembled for training and exercised with the Militia and Regular troops. The number of field guns was increased from 180 to 336, or reckoning those in reserve to 408 guns, a number sufficient for 155,000 men, besides 50,000 Militia and Volunteer artillery. Provision was made to render the fortifications now completed of the arsenals and dockyards sufficient by arming them with guns, for the supply of breech-loaders to the reserve forces, and the introduction of the improved Henry-Martini rifle. It was stated to be the intention to grant commissions in the army hereafter, partly as the result of competitive examinations, partly to deserving non-commissioned officers and Militia subalterns, while the promotion of the future would be by selection on the responsibility of the Commander-in-Chief, approved by the War Office. It may here be added that, profiting by the experience of the French in the Baltic, provision was made for supplying the navy with a kind of vessel in which it is relatively deficient, namely, that suited for coast defence and coast attack and capable of operating in shallow waters. These will consist partly of sea-going turret-ships of the 'Monitor' class, partly of unarmoured gun-vessels and gun-boats of various descriptions. Reserve guns for the navy are to be prepared to meet casualties, and a certain number of ships suited for the purpose to be armed with a new 35-tun gun, believed to be more powerful than the guns employed by any other country.

It need hardly be observed, that the army scheme of the Government was something totally different from the hacknied expedient of raising men in a sudden fit of alarm to be dismissed in an equally sudden fit of over-security. It offered for the first time a comprehensive plan for the combination and fusion of our different armies into a compact and harmonious whole; for the reconstruction of the system of officering those forces, and for providing these islands in time of peace with a well-disciplined and well-equipped land force, modest in point of numbers if compared with the armed multitudes of the Continent, but capable of ready expansion in time of war. To enable such a reform to be set on foot, it was absolutely necessary that Parliament should intervene to remove obstructions and intrust new powers to the executive. The Army Regulation Bill accordingly provided—1. The abolition of purchase and the compensation to officers, without which it could not be effected. 2. The extinction of the powers and privileges of the lords-lieutenant in regard to the auxiliary forces. 3. A power to increase the Militia beyond the number fixed by the law as it stood, and to subject it to a more efficient preliminary training. 4. The removal of the statutory limit to the number of the reserves. 5. The application of the Mutiny Act and the Articles of War to the Volunteers when in training. It also empowered the Government, in case of need, to take possession of the railways of the country and of their plant. All the above essential points were carried by the Government, though at an incredible cost of time and of labour. The bill when introduced contained three other provisions, subsidiary but not essential to the execution of the principal ones—namely, a power to the military authorities to transfer men from active service to the Army Reserve after a less term of service than three years; regulations for carrying out a ballot for the Militia in case of resort to such a step; and a permissive power to counties to relieve themselves from the inconvenience of billets by establishing barracks for their militia. These points had to be abandoned in the progress of the bill through the Commons to obviate giving the opponents of the bill the opportunity of defeating it by protracted discussion on its clauses.

The remodelling and strengthening of the army and its auxiliary forces involved a budget providing for an increase of expenditure. Such a measure must necessarily, unless under the pressure of exceptional excitement, be distasteful to Liberal members and unpopular with the constituencies. In the present instance an armistice had been agreed to between France and Germany even before Parliament had assembled; and peace was concluded before the Army Bill had passed beyond its first stage. Thus the tide of national feeling, which a few months earlier would with irresistible force have swept away the stronghold of purchase, and floated the budget over every obstacle, was rapidly on the ebb. It remained now for reason, unassisted by sentiment, to carry the measure through the rocks and shoals of prejudice and unpopularity. Prescription, privilege, vested interests, and vested abuses, gathered courage and mustered for mutual protection. In Parliament, the representatives of the British Army, real or assumed, the half-pay and retired officers, the Militia and Volunteer colonels, became rampant and obstructive, some factious and intemperate; the Tory rank and file, throughout the autumn in full cry for Army Increase, were dismayed by finding themselves confronted by Army Reform. The Liberals, hesitating;

between a hankering to popularise the army and aversion to military expenditure in time of peace, were lukewarm. The Tory leaders, too wary to commit themselves to an indefensible cause, could afford to look on and occasionally fan the flames. Symptoms before long appeared, on both sides of the House, of a disregard of party ties and party discipline, resembling, though less in degree, the anarchy which characterised the Reform Sessions of 1866 and 1867. Mr. Cardwell persevered with indomitable courage and imperturbable temper, enduring, night after night, the 'damnable iteration' of the same bald arguments against the abolition of purchase, interspersed with an interminable succession of propositions—some intelligible, others unintelligible—to vary the terms of the compensation offered to the officers. He was well and ably supported by his subordinates; and the measure, notwithstanding the Fabian tactics of his opponents, at length passed the Commons.

The ill-advised resolution of the Lords which the military instincts of the Duke of Richmond and the recklessness of Lord Salisbury sanctioned, placed the Government in a most embarrassing position. They had three courses before them: 1. To acquiesce in the decision and recommence the fight on the bill next Session. This might have involved to the officers the loss of their over-regulation prices, and would certainly have left the army in a state of uncertainty and discontent during the interval, very serious to contemplate. 2. To ask the House of Commons to vote an address to the Crown after the vote of the Lords praying the Crown to abolish the purchase system. This would have been to put the Lords and the Commons in the most direct antagonism, and to make one House openly supreme. 3. To take the responsibility upon themselves of putting an end to purchase by Royal Warrant. A timid leader would have taken the first course. A second-rate general would have adopted the next. With the nerve and the discernment of a great commander Mr. Gladstone took the bold course, struck a supreme blow, and achieved a signal success. Purchase was abolished by Royal Warrant; all the flimsy pretences on which the Army Bill had been opposed vanished in air; the Lords indulged in a vote of censure which was attended with even less result than the great Lord Cardinal's curse in the Ingoldsby ballad, and passed the bill.

The Budget was unpopular, and became the subject of decided and repeated opposition. It did, however, no more than restore the income-tax to the point to which it had been raised by the late Government, and at which Mr. Lowe found it when he succeeded to office. Two years of Conservative finance, it must be remembered, not only added 2*d.* in the pound, or, in round numbers, nearly 3,000,000*l.* a year, to the income-tax, but at the same time increased the ordinary expenditure of the country by a still greater amount, so as to create an ordinary deficiency, exclusive of that caused by the extraordinary cost of the Abyssinian war. Mr. Lowe, after the 3,000,000*l.* he has restored to the income-tax, can still boast that his financial administration shows a clear remission of 5,000,000*l.* a year to the taxpayer. In our view those members of Parliament adopted a consistent and straightforward, though shortsighted, course, who, denying the expediency of increased or improved armaments as the war had ceased, opposed both the expenditure and the taxation required to meet it. They also pursued a clear and intelligible course who, deeming the expenditure requisite, accepted the consequence, and were prepared to bear the burden. There were, however, others who cried aloud for additional forces and increased armaments, but declaimed against providing the cost; who in fact urged the order for the goods but objected to pay the bill. It was no doubt alleged as an excuse for this inconsistency, that the purchase system being an inheritance descended to us from our ancestors and now to be extinguished, not so much for our own benefit as for the good of those who are to succeed, it would be but just to defray the cost of its removal by means of a loan, or by an equivalent proceeding, the postponement of the payment of terminable annuities. There is force in the argument as far as purchase is concerned, but it forgets or ignores that of the additional taxation of the current year only 600,000*l.*, or a fraction over $\frac{1}{4}d.$ in the pound of income-tax, was imposed to provide for the abolition of purchase. Again, there were complaints of the hardship of placing the whole charge upon one class of tax-payers exclusively, and of the severity with which it pinched clerks in the receipt of small salaries and other members of the lower middle class. But, however just in themselves, these complaints proceeded with a bad grace from the members of a party which had itself three or four years since adopted the course now condemned, and had just materially contributed to the defeat of a scheme framed to obviate that very objection. Our own belief is that the addition of 2*d.* in the pound to the income-tax was on the whole the best means of meeting a passing emergency, and that had it been asked for in the first instance it would have been submitted to without any

very serious cavil or resistance. Unfortunately a Government of financiers was already branded with that unpardonable sin, want of success in a budget. The Chancellor of the Exchequer had begun by proposing the ill-starred match-tax, an assimilation in the incidence of probate and legacy duties, and an addition to the legacy and succession duties applicable to near degrees of consanguinity. This scheme was fraught with two blunders which should have been obvious. A match-tax may have been an erratic conceit, the caprice of a mind too ingenious to be always practical, but it was tried and sentenced without benefit of clergy. If it admitted of being collected without undue facility for evasion, or serious interference with the processes of trade and manufacture—as we must assume to have been the opinion of the Boards of Inland Revenue and of Custom—we confess, though it may be heresy to say so, that the proposal does not appear to us as unsound as alleged. It was, however, an error in judgment to propose the imposition of a new duty upon trade and industry, except as part of a scheme for the removal or reduction of other taxes to render it acceptable and to secure support. Mr. Gladstone in all his numerous budgets never laid on a new tax except under these favouring circumstances. Mr. Lowe himself only obtained the gun-tax in 1870 as incidental to a budget of reductions. This year he had no remission or alleviation with which to conciliate anyone, and the threat held out against various heterogeneous interests, whom he conveniently classed together as enjoying undue exemptions from taxation, if intended to frighten them into supporting his proposals, had the contrary effect, and disposed them to oppose the Chancellor of the Exchequer and his Government. The second, and still greater blunder, was the attempt, on the plea of meeting a temporary expenditure, to obtain the creation of new tax and a permanent addition to another duty likely to endure as long as taxation itself. To crown all, the Government had argued for the original budget from the alleged injustice of raising the whole amount required from one class of taxpayers, and shown that they required in all to meet the proposed expenditure a sum less by 300,000*l.* than the amount which 2*d.* in the pound would produce. Thus in proposing his second budget the Chancellor of the Exchequer was placed in the disagreeable position of eating his own words, and moreover of appearing to take vengeance upon the House by the infliction of unjust taxation to an amount greater than the public service required.

The task of reforming and organising the *personnel* of the land forces, and of adding to and perfecting their *matériel*, with the financial operations consequent on such an undertaking, was, as we have already observed, a task sufficiently onerous and sufficiently novel to furnish work for the Session. With the addition of a few such measures as the University Tests Bill and an Education Bill for Scotland, which the Government were pledged to introduce and to carry with the least possible delay, and the number of less ambitious but necessary measures which every Session brings with it, the programme of the year would have been a reasonable one. But with superfluous energy, with a febrile appetite for work, or a restless craving after sensations, the Government undertook impossibilities.

The Royal Speech at the opening of Parliament set forth no less than nine great subjects of legislation as the programme of the Session, and suggested a tenth. Over and above this, and exclusive of the finance bills, the technical or other necessary amendment bills, the continuance bills, and the bills the Constitution requires to be annually enacted, the Government introduced substantial measures relating to some thirty other distinct subjects. Some of these were matters of great difficulty, certain to be keenly controverted, and requiring long discussion and careful consideration by Parliament. We may mention as instances, in addition to others to which we have elsewhere adverted, legislation for the Regulation of Coal Mines, also in relation to Metalliferous Mines, a revision of the Game Laws, a bill dealing with the controverted question of Prison Ministers, and another, equivalent to a legal code, in respect of Merchant Shipping.

Such a programme thus followed up, showed one of two things—either the Cabinet in laying out its plan of campaign utterly neglected to take the element of time into consideration, or its chief omitted to exercise due control and superintendence over his colleagues, and the Government had drifted into the state which obtained in kingless Israel 'when every man did that which seemed right in his own eyes.' It was no less an error to open the attack upon so many various powers, interests, and abuses at one and the same time. The one Horatius only slew the three Curiatii, even after they had been wounded, by encountering them singly and in succession. There was a want of knowledge of human nature, and neglect of parliamentary experience, in forgetting that the appetite of the country for sensational legislation, and the enthusiasm of parliamentary supporters, both of which had been preternaturally stimulated by a general

election of an unusually exciting character, must in time flag. The revival of business and of commercial prosperity of itself tends to contentment and love of ease, and makes men less eager for political strife and for political convulsion. It should likewise have been remembered that the longer a government has remained in office the more circumspectly and warily it behooves it to walk, for it cannot be otherwise than that the impossibility of realising the hopes and expectations of everyone should accumulate disappointments and offences waiting for revenge.

The ill effects of the over-ambitious programme were likewise apparent in this, that many of the measures introduced bore the impress of having been framed without sufficient care and deliberation, while others had to be driven and forced through Parliament at abnormal and inconvenient hours and without those opportunities for notice and explanation which would in several instances have obviated angry feelings, and by removing doubts or suspicions have secured a just meed of credit to the Ministry.

The Licensing Bill was the most conspicuous failure of the Session, and the most disastrous, in a party sense, to the Government. The subject with which it dealt is one surrounded by so many natural difficulties that it is eminently one which requires what is colloquially, but expressively termed 'threshing out;' and Mr. Bruce, however earnest and painstaking, could hardly be expected to hit off a solution of the problem in a first attempt. At the same time the bill had elements of its own which would probably have wrecked it under any circumstances. It was a curious mosaic, or rather a Chinese puzzle, composed of heterogeneous pieces placed in juxtaposition with a certain amount of ingenuity, but not cohering or dovetailing into each other. It might have been possible, by omitting some of the pieces, substituting some new ones, and freely cutting and carving those that were retained, to have constructed a compact whole out of the materials; but such joiner's work could only have been done by a select Committee, to which we think the bill might, with a view to the future, advantageously have been referred. As it was, the days of its pilgrimage were few and evil. It created many opponents and rallied no supporters. It was withdrawn without an attempt to obtain a second reading, and will not be seen again :—

'Ostendent terris hunc tantum fata neque ultra
Esse sinunt.'

Negatively the measure has not been without its use. It has proved beyond doubt, if doubt ever existed anywhere out of the Cabinet, that 'beer is stronger than water.' It has shown the unity and animus of the brewing and licensed victualler interest, and the weakness and impracticable character of the teetotal party. Must it not be added that the absence of support to the first serious attempt to grapple with the giant evil of Drink showed that in too many instances the clergy and other professed advocates of temperance preferred their party to their cause? Its failure has compelled the passing of a Suspensory Act, which is, if nothing else, a warning to some and a guarantee to others, that the question will be reverted to another year. What the eventual settlement may be we will not now venture to forecast. We are so old-fashioned that we should be content to commit ourselves to Free Trade; to grant a licence to any man of good character occupying decent premises, to continue it during good behaviour, and to trust to competition to secure sound liquor, and to police supervision to enforce proper conduct of the house or forfeiture of the licence under definite and stringent regulations. It is vain, however, to discuss the question in this sense. Public opinion has pronounced against Free Trade and in favour of regulated monopoly; and among the working classes, who are most immediately concerned, are to be found many of the keenest advocates for the reduction of the trade to a minimum, if not for its total suppression. It is probable that during the recess Mr. Bruce will learn from the working of the Suspensory Act the mischief of an appeal to the Home Office respecting the grant of new licences. The information and judgment of a Secretary of State as to the expediency of a particular case must be more imperfect and more fallible even than that of local magistrates. It will probably be found that not unfrequently an unnecessary or improper licence is granted in order to save the local authorities the private or political odium of a refusal and to cast it upon the Government. The objections to intrusting such a power to the ratepayers are obvious, still it might be preferable to leave the decision to a vote of the inhabitants of the locality concerned rather than to concentrate all responsibility in the Home Office. Such a scheme is, it need hardly be pointed out, fundamentally different from the principles and tenets of the Permissive Prohibitory Alliance. The Alliance would put it in the power of the majority to prevent the minority from obtaining any drink; the plan suggested would secure that right to the minority, while empowering the majority to protect themselves against such a multiplication of tippling shops as to

become a mischief and a nuisance to the neighbourhood.

Mr. Goschen's ambitious scheme for the reconstruction of Local Government and the revision of Local Taxation was embodied in two elaborate bills. It was a scheme of great ability, an attempt to bring order out of chaos. At present there exists a confusion of areas, authorities, and rates. Of one thing Mr. Goschen may feel confident, that if his bills never become law, they will prove the quarries from which materials for legislation will be hewn. The three striking and novel features of his scheme were, to popularise the character and increase the efficiency of rural institutions by the establishment of parochial boards, presided over by an elective chairman, and furnishing representative members to be associated with the magistrates in the administration of county affairs; to give a measure of relief to tenants by a division of rates between owners and occupiers; to give a boon, especially to urban ratepayers, by the surrender of the house-tax to local authorities in aid of local taxation. There were also provisions for subjecting to rates certain kinds of local property, such as mines, woods, and game, which, through a caprice of legislation, have hitherto been held exempt; for the assessment on a higher scale of country gentlemen's residences; for the collection of all rates as one consolidated rate, and for the simplification of the areas of local taxation. There was, unfortunately, no opportunity for the discussion of the scheme in Parliament. So vast a subject, involving such complicated questions as the incidence of rates upon various kinds of owners and of occupiers, and their effect upon rent and upon wages, deserves, seeing that local expenditure now amounts to 36,000,000*l.* a-year, an amount which, omitting the charge for all the national debt, almost equals the imperial expenditure, no less attention from statesmen of the first rank than imperial finance. It is idle to think that it is to be disposed of in Parliament by the head of a subordinate department and a certain number of country gentlemen as though it were a turnpike trust, but must be earnestly taken up as the work of a Cabinet and of a Session.

Instead of this the scheme was only discussed by Chambers of Agriculture, and that hastily, often without having the bill at all before them, always with an imperfect knowledge and understanding of its proposals. It disappointed these self-constituted parliaments because it did not give the country squires and others who agitate for a revision of local taxation, either of two alternatives, to be found written in their hearts; namely, the rating of personal property, or the transfer of some considerable portion of local burdens to general taxation. Mr. Goschen proposed to satisfy the last demand by the converse principle of surrendering an imperial tax to the use of local authorities. He did not succeed, because, in offering the house-tax, he gave the relief, not to the country that asked for it, but to the towns that did not. Having regard to the character of the applicants, a surrender of the assessed taxes, or rather of the licence duties now substituted for them, would probably have been received with more favour. County magnates feared and disliked the bill both from a pecuniary and a political point of view; they evinced, moreover, a nervous anxiety lest the tenant-farmers and small freeholders should be captivated by some of its provisions, and exerted themselves to commit their several chambers of agriculture and rural clubs to a summary condemnation of the bill. Some of these bodies, nevertheless, approved considerable portions of the measure, while in most of them there was a favourable minority.

The offer of a division of rates between persons asking relief from rates, sounded too much like the memorable Tory proposal to meet the demand for religious equality in Ireland by making a fresh distribution of Church property between its then holders; nevertheless such an arrangement would on reflection be found to be of substantial benefit to the tenant. It would place him on a more independent footing towards his landlord, and it would save him from having to bear the entire burden of a new rate between one adjustment of his rent and another. It would be attended with the further advantage to both landlord and tenant, that it would remove the double discontent engendered by the conviction now entertained by each, that upon him falls the whole charge of the rates, while it would give both an immediate interest in keeping down the old and resisting the imposition of new rates.

The vast ramifications and intricacy of this long-neglected subject, and the prejudice and ignorance respecting it that prevail both among public men and in the country generally, point to the need of a comprehensive survey and thorough ventilation of the questions involved before satisfactory legislation can be hoped for. A Royal Commission of inquiry would be a useful preliminary. A report from such a body would do for the remainder of these local matters what the Report of the Sanitary Commission has already done for one branch thereof. The statements of a neutral body would be accepted by all parties with a degree of confi-

dence not attaching to Mr. Goschen's elaborate Reports, which have been suspected of being tainted with partisanship. A Commission would supply a digest of law and of fact which would constitute a platform which all parties might agree to take as their point of departure in the consideration of the subject.

We say this impartially, for we do not hold with the thorough-going advocates either of rated or unrated property. We believe the case of the champions of rateable property to be, so far as ancient burdens are concerned, due regard being had to the fact that they acquired the property with its liabilities, grossly exaggerated, if not altogether fallacious. We hold that they have a case, if, as they allege, new burdens for purposes in which the whole nation, or at all events all property is alike concerned, are imposed exclusively upon a part variously estimated at from one-fourth to one-sixth thereof, unless it can be shown that unrated property in some other way is made to bear corresponding burdens which do not fall upon rateable property. Be this as it may, no class and no party ought to object to an inquiry which would have the effect either of dispelling a delusion if there be one, or of leading to an equitable distribution of charges. The Government, it would seem, should be the last to object to such a course, for it is especially important to a Liberal Administration, whose acts and intentions are regarded with mistrust by any section of the community, to endeavour to disarm that suspicion, however unjust they may feel it to be, before proceeding to legislate.

The Parliamentary and Municipal Elections Bill as it was officially, the Ballot Bill as it was more briefly designated, from that which formed its pith and marrow, was, as a whole, a well-conceived measure for the object proposed. It was, however, necessarily a bill of much minute detail, and, like too many other Government measures, had not received that *limæ labor* which is as necessary to a finished bill as to a finished poem. Instead of being welded into a compact mass, its texture was loose and easily penetrated by objections and amendments. It was discussed with great prolixity, and innumerable divisions, as is well known, were taken upon it. The object, doubtless, of some of the opponents was to make the best of the bill, and of others to defeat it by time; and, in a sense, these last succeeded. That they did not accomplish their darling object of compelling the abandonment of the bill by the Commons was due to the firmness and patience of the Government, and to the self-denying ordinance against speaking adopted by an united party. The Ballot Bill is hardly to be reckoned among the failures of the Session, for the time and labour devoted to it have not been lost. It may be looked upon as conclusively settled that elections shall be taken by ballot, and by ballot of the most absolutely secret description that can be devised. The arguments for and against such a system have been thoroughly sifted and weighed, and the machinery by which it can be carried out so carefully examined, that the task of the House on reverting to the subject cannot but be greatly lightened. The opinions of this Journal on this subject are well known. We recently expressed our view that the efficiency of the Ballot for the purpose intended is greatly over-rated, and our doubts as to the practicability of insuring such complete secresy as its advocates desire. Nothing that has since occurred disposes us to retract the opinions we then offered. While, however, we cannot share what we deem to be the Utopian fancies of the thorough-going believers in the Ballot, we are as earnest as any in condemning the evils that have prompted the demand for its adoption. Intimidation and corruption are vices which spread deeply and widely, and the mischief of which reaches beyond the electioneering crisis in which they originate—

> 'Hoc fonte derivata clades
> In patriam populumque fluxit.'

The sudden extension of the franchise to classes of voters, many of whom are in dependent circumstances, has for the time increased these evils and given a fresh stimulus to the cry for protection to the voter. That cry, moreover, now proceeds from county constituencies as well as from boroughs. No one feels the longing for shelter more than the little village shopkeeper whom the 12*l.* rating-clause has enfranchised. Anyone acquainted with rural life knows how dependent and timid a creature he is; how he has to beg for custom, and how, year by year, as roads and railways improve, his few customers find they can better supply their wants from some neighbouring town. The village blacksmith, wheelwright, and carpenter are not much better circumstanced. To all these the Ballot presents a bright vision of relief from pressure and from the apprehension of suffering pressure or giving offence. Altogether we are not surprised at the eagerness with which the Ballot is sought as a panacea for electoral evils by some, whilst others of a less sanguine temperament and less implicit faith may think it right to grant a trial to a remedy of the efficacy of which so many are profoundly convinced. For

our own part, although we cannot profess the creed of the ballot-worshippers, we do not partake in the dread with which its approach is regarded by some of its opponents, and can view without alarm the experiment which the nation has apparently determined shall be made. Moreover, whatever may be its immediate effect in superseding publicity, that effect will not be permanent. Secret voting is not destined to be the practice of the 'Coming Race,' or even of Mr. Maguire's 'Next Generation.' The greatest value of the Ballot will perhaps be found to consist, not in the actual protection it will afford, but in that it will militate against and tend to extirpate the idea now deeply rooted in the minds of so many both of the superior and of the inferior grades, that one man has a right or claim to command the vote of another. With the extinction of that idea, and the steady growth of actual independence, the craving for protection will pass away, and then, whatever may be the legislative provisions in force, voting will practically become as little secret in England as it already has in America.

We adverted in the earlier portion of this article to the proposed settlement of the disputes between this country and the United States. Although such a treaty does not, under our Constitution, require the formal ratification of Parliament, yet the amount of care and of labour the negotiations connected with it must have imposed upon the Cabinet, and the approval, not less emphatic because undisputed, accorded to it by the Legislature, call for more than a passing allusion in a review of the events of the Session.

The Treaty of Washington will, we trust, prove a landmark in history, not merely on account of the immediate advantages attending it, but as indicating the growth of a healthier international policy. Amid the tremendous wars and high-handed acts of violence that have occurred of late years, so conspicuous a recognition of the wisdom of preventing or terminating differences by arbitration, acquires a signal value. Every point thus disposed of, whether between nations of equal power or between a weak and a strong country, makes a good precedent, and constitutes a favourable omen for the future.

The Treaty of Washington is, however, distinguished, if we mistake not, in this, that two great nations equally proud and equally sensitive have now set the example of submitting to arbitrators freely and impartially chosen, who are to constitute at once a court of law and a court of honour, no mere isolated question of disputed right, but an entire case, or rather group of cases, in which the interests and feelings of both are most deeply touched. It is an advance towards conducting relations between nations on principles similar to those which the laws of civilised States prescribe to their citizens in the relations between individuals. It tends to a condition of things in which a recourse to war to determine a difference shall be looked upon, as duelling happily now is in England, as an act of folly and of wickedness. To the Government of this country belongs the honour of having initiated the negotiations which led to this auspicious result. England has been the world's leader in the diffusion by precept, and the realisation by example, of more than one great idea that has influenced history. She was the foremost to abolish slavery; she has more recently been the pioneer of free commerce. Let us hope that it may be given to her to point the way to a higher and happier international policy, and thus establish one more claim to the gratitude of mankind, and worthily uphold that which Milton aptly termed

> 'Her noble precedence of teaching nations how to live.'

The unpopularity of the Budget, the rejection of the Ballot Bill by the House of Lords, the miscarriage of some of the Government measures, and the necessary withdrawal of a host of others, and notably of the Scotch Education Bill, threw a general character of failure over the Session, and, at all events for a time, obscured its great and marked successes. Nor were other causes of irritation and disappointment wanting, several of which we have already noticed, and need not revert to. Early in the session the scheme of appointing a joint Committee of both Houses to consider the subject of Indian finance, was marred by the indiscreet arguments advanced in its favour. The proposal for a Committee to take evidence respecting the existence and character of the Ribbon Society in Westmeath, instead of laying the case of the Government directly before the House and asking for the desired powers on the responsibility of the Cabinet, bore the appearance of timidity and of vacillation. The proposal in the first instance to make that Committee a secret Committee, subsequently pared down to an intimation that the Committee might, if it thought fit, itself ask to become one of secresy, eventually altogether abandoned, was still more unfortunate. Considering the determined courage evinced by the Ministry in other matters, we are disposed to believe that the idea of having a Committee at all originated,

not in any undue shrinking from responsibility, but in an over-sensitive regard for Constitutional rights in dealing even with such a conspiracy as that of Westmeath, but it was not the less a conspicuous error in judgment.

The ill-advised multiplicity of measures that hampered each other's progress, and the protracted resistance encountered by the foremost, led to unusually late hours, and to encroachments, not unfrequently enforced with a high hand, on the time allotted to private members—circumstances which engendered fatigue and irritability. Again, the Administration seemed possessed with a nervous fear of not keeping up with the extreme wing of their party, which more than once led them into difficulties. Such an endeavour on the part of a Government, however determinately Liberal, is vain and idle. The advanced Radical's *raison d'être* is, that he must and will be in advance of the present; but a responsible Minister must live and act in the present, and not in the future. It is his task to till the legislative soil, and to sow and to reap the harvest for the well-being of the community, not to emulate the backwoodsman of the party, who will always plunge deeper into the jungle as cultivation approaches.

Having recognised to the full, and criticised without sparing, the blunders committed and the provocations given by the Government, we are bound to add that, on the whole, they were more sinned against than sinning; and that much of the spirit and character of the opposition they encountered admits of no justification. A hopeless minority—not a party, but a clique—resolutely attempted to wear out the patience of the House, and to baffle the progress of public business by consumption of time. The latitude of debate, and the vast privileges which the rules and forms of the House permit to a minority, were used and abused for this purpose in a manner almost, if not entirely, unprecedented in parliamentary history.

In January of the present year some pages of this Review were devoted to the consideration of the conduct of business in the House of Commons. The block which occurred last Session has since come to illustrate and add force to many of the observations we then offered, and has produced no inconsiderable amount of feeling both within and without the walls of Parliament. Indeed, the character of the House as a practical assembly has been compromised, and its competency under present regulations to the discharge of its ever-growing functions seriously impugned. So much has this been the case that, should further cause be given, Parliament, which has reformed the constituencies, may find itself somewhat rudely and peremptorily called upon to reform its own internal constitution.

The rules of Parliament are in the main unquestionably founded in wisdom; they combine with singular completeness absence of confusion in the multiplicity of motions which are made in so numerous an assembly, with flexibility to meet a sudden emergency, and free scope for bringing forward every opinion and testing the sense of the House upon it. Homage has been rendered to their merits by their adoption in other countries, where they have been made the basis of the rules of numerous legislative assemblies. The States of the North American Union retained or followed them when they separated from the mother country. Mirabeau selected them as the model of the first rules of the National Assembly, at the beginning of the French Revolution. Again, when a charter was granted by the restored Bourbon king in 1814, they were adopted with certain modifications. It would be interesting to note the divergences from the original forms in different foreign countries, and to compare them with the changes they have in the same time undergone in our own. It would be curious in such a study to observe, on the one hand, national characteristics, and on the other to trace the effect of the forms of ruling assemblies upon the laws and history of a nation. We are disposed to think that a careful investigation would show that the forms and practices of such assemblies have an influence upon legislation scarcely inferior to that depending upon their composition. The methods of procedure in the French Assembly were adverted to in the article already mentioned, and do not here call for further observation. The changes made by Congress show the inclination to summary proceedings, and to the assertion of the right of a majority to silence, or, as Americans would express it, to 'shut up' a minority, without any overstrained regard to its feelings, which distinguish our republican kinsmen. According to the evidence given before the Committee of the House of Commons which sat in 1848, by Mr. Curtis, formerly a member of the House of Representatives, the Americans have in practice reduced the number of stages for debating or opposing a bill. At Washington a bill is rarely discussed on its introduction; the first, and usually the second reading also, are taken as of course, and it is referred, according to its subject-matter, to one of the Standing Committees of the House. It is there considered both in principle and in detail, as a private bill is with us by the

committee on the group or class to which it belongs. The debate and the struggle on the bill in the House is reserved for the third reading. The House of Representatives and many of the State legislatures have, by what is familiarly known as the 'gag-law,' limited the duration of a speech to the space of one hour, whether in the House or in Committee. Moreover, according to Mr. Curtis, in Committee, in contradistinction to the practice that prevails here, no one may speak more than once, except the mover of an amendment, who is allowed a reply. The American majority is armed with a weapon more powerful than the *clôture* of the French Assembly, by which to force a debate to close. In France the *clôture*, if carried, applies only to the question immediately before the Assembly. For instance, if moved and carried upon an amendment, it obliges a vote to be taken at once without discussion upon that amendment, but it does not preclude any number of other amendments, or bring the main question to an issue. In America a member may always 'demand the previous question.' If the majority second him, the question is put without any debate being allowed. If carried, the effect is that the Speaker forthwith proceeds to put the question on all the amendments to the bill in due succession, and then the main question in relation to the bill itself, all without debate.* No less decisive a mode is provided for bringing a 'committee of the whole' to a term. When the House considers that it has had a reasonable time for the consideration of the bill, or other matter referred, an order is made for the immediate discharge of the Committee, or an hour and a day are appointed when the Committee shall be discharged, after disposing, without debate, of all amendments before it. In such a case the Committee, when the fatal hour has struck, proceeds to vote upon all amendments without discussion, only the mover of each amendment being allowed five minutes by the clock for explanation.

Imagine the effect if such rules had been in force in England in 1871! How the House might have been tempted to make short work with the colonels and majors who, in the spirit of *La garde ne se rend pas, la garde meurt*, so pertinaciously resisted the abolition of purchase; how different might have been the fate of the Ballot Bill. Conceive, too, how ruthlessly the pet schemes of enthusiasts, such as Permissive Prohibitory Liquor Bills, *et id genus omne*, might be stamped out and annihilated. It should be added that, according to the American practice of dividing, there is no record of votes given in Committee of the whole House; so that members vote without the fear of constituents before their eyes. Even in the House itself no division lists are made or kept, except on important occasions, when a 'division by yeas and nays' is demanded. These are then ascertained, in the manner by which votes are taken in Select Committees of our Parliament, by the clerk calling the roll of the House, and noting the answer of each member.

We do not wish to see any such revolutionary changes introduced at home. We gladly recognise that respect for the views of minorities, regard for individual opinion, and appreciation of individual independence, which, though occasionally attended with inconvenience, are among the glories of freedom as understood and practised in this country. The vast difference between the constitution and functions of our Parliament and those of foreign assemblies has been often pointed out. The British Parliament, particularly the popular branch of it, is charged with the most multifarious duties. It is the elephant's trunk, prepared at any moment to rend an oak or pick up a pin.

Much of the business that comes before Parliament is of such paramount importance and interest that it could not be exposed to the risk of being disposed of by short cuts and abrupt conclusions, as might the discussions of a debating club. On the other hand this circumstance renders it doubly incumbent on the House to beware lest it degenerate into an arena for the display of loquacious and unseemly contests, or a platform for the delivery of theoretical essays and professional lectures. The veriest stickler for adherence to ancient forms must admit the necessity of their occasional revision, and will hardly deny that the modifica-

* It will be seen that the 'previous question' has a different meaning and object in America from the same motion in this country. The motion ordinarily employed in the United States to answer the purpose of the 'previous question' with us, viz., to lay a bill or motion by avoiding the expression of a judgment upon it, is 'that the bill do lie on the table,' or, colloquially, 'be tabled.' This is a motion taken without debate. The 'previous question' was formerly resorted to in America for this purpose, but it was then used in a negative form, 'that the question be not now put,' which expresses the intention of the mover more directly and intelligibly than the affirmative now employed in the House of Commons. The form in use in the House of Lords, 'whether the question shall be now put,' and the old ones used by the Commons, 'whether the bill shall presently be put to question,' or 'whether a question shall be made of it,' also appear preferable to their modern form.

tions which have been from time to time introduced savour in the highest degree of the cautious and tentative spirit of constitutional Old England.

The majority of the Select Committees appointed at various times to consider the rules and practice of the House of Commons do not appear to have been very happy or very successful in their recommendations. Last session another such Committee, *e pluribus unum*, for the shelves of the library already groan under the reports of its predecessors, was nominated to take into view the best means of 'promoting the despatch of public business.' Its Report will contribute little to that desirable end, for it contains only one proposal of any value, and that a mutilated one, which is likely to be adopted. The machinery of the House is, as everyone who has at all watched its proceedings must be aware, incredibly clumsy and defective in this respect that it is utterly uncertain at what hour a given subject will be entered upon, or whether it will even be approached on its appointed day. This uncertainty is ordinarily due to the unrestrained latitude of debate, which renders it impossible to foresee how long the preceding subject or subjects may occupy, and in rarer instances to the exercise of the privilege of 'interpolating' some totally unexpected question in an earlier part of the sitting. The consequence of this state of things is that the passage of many a desirable measure is frustrated by protracting debates on other matters, either designedly or undesignedly, until an hour at which physical exhaustion has incapacitated the House from taking them up. The evil, however, culminates in connexion with the consideration of the estimates. On the plea of the old constitutional maxim that grievances should precede Supply, every kind of motion is made and every kind of subject discussed on going into Committee of Supply. That this is a modern perversion of an ancient practice was clearly shown by Sir T. Erskine May in his evidence before the Committee of last Session. The Committee did not venture simply to recommend a return to the original custom under which such motions were limited to *bonâ fide* grievances and questions of actual urgency, but Mr. Lowe submitted a new proposal. He advised that on any night, except Friday, on which Government Orders take precedence and the Committee of Supply stands as the first Order of the day, the House should, as soon as the Order for Committee had been read, resolve itself into such Committee. The effect would have been to substitute a weekly for a daily discussion of the so-called grievances on going into Supply. The change would facilitate a fuller and more careful investigation of the Estimates, inasmuch as it would be known for certain that if set down as the first Order of the day they would without fail come on, and members interested would be prepared and in their places. The Committee seems, however, to have looked upon this as too bold an innovation, and it was accordingly pared down to a recommendation, based on no apparent principle, that the alleged constitutional right should be suppressed on Mondays, but on Mondays only.

Sir T. Erskine May ventured upon a suggestion for expediting the business of the House by a division of labour, which appears to have so paralysed the Committee that they were unable to entertain it at all. Yet it was not a new-fangled device, but a revival of an ancient custom, venerable from a practical disuse of two centuries, but which had subsisted in name down to the year 1832, and a scintilla of which still survives in the formal appointment of a non-existing Committee of Privileges. It was nothing less than the appointment, at the commencement of a Parliament or of a Session, of Committees on certain classes of subjects, resembling the old Grand or Standing Committees which were formerly part of the organisation of the House of Commons. According to this idea, there would be a large Committee, composed, mainly or in great part, of members having a practical knowledge of commerce or representing mercantile and manufacturing constituencies, to which bills relating to trade would be referred; to another such Committee, appropriately constituted, would be consigned bills relating to agricultural or rural affairs; to a third, composed of members qualified by legal knowledge, would be remitted the law bills, and so forth. In these Committees reporters would be present, and business and discussion would be conducted as in a Committee of the whole House, for which it was hoped they would, in the case of many bills, prove a sufficient substitute. It was expressly stated that the suggestion would not be applicable to great measures, the *pièces de resistance* of a session, or to bills of a party character, which could only be satisfactorily dealt with in a Committee of the whole House.

The idea deserved more consideration than it appears to have met with, but it is obvious that there would be a great difficulty in nominating these Grand Committees. The party having a majority could not be expected to forego its advantage and to consign its important measures to such a committee, if composed, as Select Committees

now are, of an equal number of members from each side of the House. On the other hand, a division of the entire House, according to a suggestion of Sir T. Erskine May, into, say, six large committees on special subjects of 100 or 110 members apiece, would produce this result, that the majority of the House would find itself in a permanent minority in some of the committees, and all its measures on certain subjects at the mercy of opponents. There would also be the danger of interminable debates, as to the kind of committee a particular bill should be referred to, and again, whether, having passed through a Grand Committee, it should or should not be further committed to a Committee of the whole House.

The fact is that neither the ancient Grand Committees nor Committees of the whole House were in their inception devised to expedite the passage of bills or to facilitate the transaction of business. Grand Committees had their beginning in the first Parliament of James I., when the House of Commons was entering upon its long struggle with the Crown, and were in the first instance only large Select Committees to consider subjects or grievances of special interest. As the struggle with the Crown grew in intensity, recourse was had more and more to Large Committees, and they were made permanent. Members found in a committee shelter from the influence and power of the king. They were not, as in the House itself, under the eye of the Speaker, the Serjeant-at-arms, or any other officials appointed by or dependent on the sovereign; they chose their own chairman, and their proceedings were not officially recorded. The advantage proved so great, that the expedient was before long resorted to of converting the House itself nominally into a Committee, appointing all the members of the House, except Mr. Speaker, members thereof; and this step was the origin of the present practice of Committees of the whole House.

The simplest solution of the difficulties above indicated would seem to be to refer matters not of primary or party importance to Committees of the whole House, authorised to meet and adjourn like Select Committees at hours independent of the House. Further, notwithstanding the apparent anomaly of the proceeding, it might be found possible and convenient to allow more than one Committee (or Sub-Committee, if that designation were preferred) of the whole House, to sit in separate rooms at the same time, leaving it to members to select for themselves day by day which one of the different sittings they chose to attend or take part in.

This is not the place to enter into a consideration of the ameliorations which might be made in the forms of Parliament. Such questions are too technical to be of general interest, and the necessary exposition of arguments for and against each would occupy too much time and space. It will be enough here to indicate some points to be attacked in any such attempt at reform. It would appear no undue curtailment of opportunities for debate to make it a rule that the principle of a bill should be discussed either on the second reading or on the motion for going into committee, but not upon both these occasions. There are, no doubt, means by which a debate on the entire bill may be raised in Committee, as the experience of last Session has shown, but a resort to these is unusual, and it is so well understood that they are reserved for an emergency that there is little fear of their being abused. In the case of bills to which no amendments are proposed, it may be worth while to save a stage altogether by adopting the present practice of the Lords, and negativing their committal. This was also, as the pages of Hakewell and the records of Parliament testify, an ancient custom, although it long ago fell into disuse. The chance, slender enough at the best, for a private member to carry a bill through the House might be materially enhanced by a slight re-arrangement in the order of business. At present Wednesday is the only day in the week on which the orders of private members have precedence; but it is, unfortunately for them, also the day on which, in accordance with a custom introduced in 1846, the House meets in the morning and adjourns by order at six o'clock. Hence an almost irresistible temptation is presented to opponents to 'talk a bill out.' This drawback would be obviated by returning to the original practice of meeting on Wednesdays in the evening and sitting to an indefinite hour; if this be thought too heavy a burden, or to involve too great a risk of a count-out, the difficulty might be met by exchanging the course of business on Tuesdays and Wednesdays. By the existing rules, the notices of motions of private members have precedence on Tuesday nights. The bills, if taken on Tuesdays, would not be exposed to the same risk of being defeated by time, while to the motions transferred to the Wednesdays, inasmuch as their object is to elicit opinion by discussion rather than to obtain an immediate result, the danger would be of comparatively little consequence.

The monster evil of the absence of all certainty when business will be taken has been already dwelt upon. Perhaps the greatest

advantage attending the recent increased resort to morning, or rather to afternoon, sittings, is that they palliate this mischief. Some business is appointed to be taken at two o'clock, and other business at nine in the evening, and thus far members know when to attend, and when they may absent themselves. Two o'clock is, however, an inconveniently early hour to members engaged in professional or private avocations, or serving on committees, to members of the Government, and to officers of the House. All the advantages and more of an afternoon sitting would, it seems, be secured by dividing an evening sitting into two acts. The House would then meet at the usual hour of four, Government business being appointed to be taken up to nine o'clock, and that of private members from after that hour. The number of hours sitting would remain the same, but the risk of a count-out, which so often occurs when the House is expected to reassemble at nine after an interval of two hours, would be materially diminished. The uses and abuses of the unduly privileged motions for 'the adjournment of the debate,' and the 'adjournment of the House,' imperatively call for reform. More disputes arise upon the somewhat hazy rules of order connected with them than upon any other questions. The motion to adjourn the House, made as an original motion, is a ready instrument by which any man who has found a mare's nest, or has an unseasonable crotchet to air, can intercept the business of the evening. Taken in combination, these two motions are the tools by which a worn-out contest may be indefinitely prolonged by a factious minority, or a wrangle reduced to one of those boyish trials of obstinacy or of physical endurance, which tend to bring Parliament into ridicule and disrepute. Common sense prescribes that the discussion on each of these motions should be strictly confined to reasons for and against the proposed adjournment. The very natural suggestion has been made that if a motion for the adjournment of the debate has been made and negatived, the House should be bound by its own decision to dispose of the matter in debate in the then sitting. The answer has been that in an assembly of which a very small proportion constitute a quorum, and where the numbers in attendance fluctuate so greatly from hour to hour, such a power would lead to conspiracies and surprises. The objection would be obviated and the desired result in a measure secured by a rule providing that if the motion were once negatived by a preponderating majority, such as two to one or five to two, then the decision should hold final; even then a *locus pœnitentiæ* might be kept open by a reservation that if subsequently to such a decision it should appear to be 'the pleasure,' i.e., the unanimous consent, of the House to adjourn the debate, that course should be admissible.

Another hope of expediting business lies in the possibility of delivering the House of Commons from some portion of its labours, and to this its attention should be earnestly addressed. In an article entitled 'The Private Business of Parliament,' which appeared in this Review at the commencement of the year 1867, we enumerated a long catalogue of matters formerly the direct subjects of legislation, which had gradually been altogether or almost eliminated from Parliament and intrusted to commissioners or other officials. We at the same time made divers suggestions for dispensing with the necessity of private bill legislation in some matters, and simplifying and abridging it in regard to the remainder. Several of these suggestions we have since had the satisfaction of seeing adopted by Parliament. The House of Commons has, at the same time, with great advantage to itself and to the parties concerned, transferred the trial of election petitions from its own body to the judges of the land. Still the pressure upon the time and attention of Parliament for the discharge of duties which are rather judicial or mediatorial in their character than legislative, is overwhelming. One hundred and seventeen public Acts were passed last Session; but the number of private Acts was not far short of double that number. In the last eight years, the Royal assent has been given to upwards of 2,000 such measures, while the number proposed for the consideration of the legislature may be reckoned at 3,000. Surely the time has come when a greater effort than has yet been made should be attempted to relieve Parliament from these onerous duties, to the discharge of which it is but imperfectly adapted. Two reasons point to this conclusion. One is the growing pressure of other and more important senatorial business; the other is, that experience has greatly modified men's ideas as to the importance of public works, more especially of railways, and in regard to the compulsory purchase of private property for their execution. The expropriation of private owners for such purposes is no longer the battle-field of gods and of giants, of territorial magnates and leviathan speculators fighting as if for existence; it has rather become a matter of arbitration as to terms between parties, all of whom are desirous of seeing the enterprise carried out.

We think, then, that the time has come

when private bill legislation may be altogether put an end to. Bearing, however, in mind the just jealousy which the public feel respecting the concession to private persons or to companies of extraordinary powers, privileges, or monopolies, we hold that an ultimate control or appeal must be reserved to Parliament. If anyone for a moment doubts this, let him call to mind the excitement that has within the last few months prevailed with respect to tramways, and that which raged a very few years since on the subject of the supply of gas to the Metropolis. Nor is there any security that the public interest in a subject which has long slept may not be suddenly revived. The settlement of inclosures was many years ago transferred to a body of commissioners, subject only to a final approval by Parliament of their proposals, an approval which had become almost a formality, till some proceedings of the commissioners drew attention to the course they were pursuing; and thereupon their conduct, and the policy they administered, became the subject of severe criticism, and evoked in several instances the corrective action of Parliament.

We suggest that promoters of undertakings, and all persons or local bodies seeking powers or privileges, should be required to proceed only by provisional order, or rather by certificate, as under the Railway Construction Facilities Act of 1864, and no longer by private bill. Application for such order or certificate should be made to a permanent tribunal appropriately constituted for this purpose, and so composed as to command the highest degree of weight and respect. The sittings and inquiries of this tribunal should be held in the Metropolis, in Edinburgh, in Dublin, or in the locality concerned, or partly in one and partly in the other, according to circumstances. All its proceedings should be public, and carried on in open court. It should be affiliated to, or *en rapport* with, some official department, probably the new Local Government Board, whose chief would be looked to to answer questions and give information respecting its proceedings to Parliament. The order and certificate applied for, whether approved or disapproved by the tribunal, should be laid upon the table of each House successively for a given number of days: the decision of the tribunal, if not appealed against within that time, would become final. If appealed against, the case would, if the House saw fit, be sent for a re-hearing to a Parliamentary tribunal. This Parliamentary tribunal should be a Joint Committee of Lords and Commons, constituted and conducted as recommended by the Report of the Joint Committee of both Houses named at the head of this article. The certificate, approved, amended, or disapproved by this court of appeal, would be again laid upon the table of each House in succession; and, unless either House made some especial order thereon, would, after a given number of days, if approved, acquire force of law; if disapproved, be lost for the Session.

It is eminently desirable that Parliament should, with a view to the despatch of business and to the maintenance of its own character, earnestly address itself to the double task of amending its machinery and relieving itself of any functions which it can find other bodies as well or better qualified to undertake. It is, however, good government, not an annual deluge of sensational measures, which the country desires at the hands of its rulers. It is not quantity, but quality in legislation, which it seeks. We trust the Ministry will have learnt the lessons of the past Session. If next year sees the several departments of State satisfactorily administered, a reduction of taxation, a Scotch Education Act, the licensing question settled on fair terms, a Mines Regulation and a Ballot Bill passed, there will be little ground for complaint, and the Administration may not only regain but add to its former popularity. We have freely criticised the recent conduct of affairs by the leaders of the Liberal party. It is more agreeable to render tribute, as we can most sincerely, to their earnestness, courage, and determination—virtues which our countrymen have ever highly honoured and appreciated in public men. They displayed these qualities in persevering with their plan of Army Reform against the influences of power, rank, and wealth, although the popular tide had turned and left them almost stranded; they displayed them in a still higher degree in not shrinking from unpopularity and reproach, and sturdily refusing to yield to the temptation of entering upon the downward course of casting the burdens of the present upon the future: they displayed them further in their firm attitude on the Ballot Bill, and their readiness to encounter the labours of an autumn Session rather than surrender the measure. We hope they will be not less firmly exerted in refusing to dally with the unreasonable demands of Irish agitation, against which we rejoice to see that Mr. Gladstone has on a recent occasion taken so deliberate a stand. When the passions and disappointments engendered by the Parliamentary struggles shall have subsided, the Session will be judged and remembered, not by its failures, but by its successes. It will, we trust, be remembered as the Session

which saw the foundations of a system of military defence, adapted to modern exigencies and to the habits of this people, laid deep and strong; which saw the Universities wrested from a Church, and rendered up to the nation; which saw the elector's right to record his vote unchallenged and unmolested, formally recognised and virtually secured. It will be remembered as the Session which saw a settlement initiated by English statesmen bidding fair to inaugurate a new era of international policy, receive the approving verdict of the British Parliament and of the representatives of the American people. When the results of the Session shall have come to be fairly and impartially judged, so likewise will the course of Mr. Gladstone's Government. The judgment pronounced will, we believe, be that their conduct in persevering with their military and financial policy, notwithstanding its temporary unpopularity, was patriotic and statesmanlike.

It has been the distinguishing glory and good fortune of this country that it has, on the whole, been ruled by sober reason, and not by popular impulses or the instinct of a blind and stubborn Conservatism. To the Liberal party this glory especially attaches, for it has swayed the destinies of the country during an epoch of unparalleled greatness and prosperity. Occasions have not been wanting when reason appeared in imminent danger of being overruled by the humour and clamour of the day, or baffled by the inert resistance of stolid prejudice and ignorance. There has, however, hitherto been always found amongst us such a fund of sober common sense that the reflecting portion of the community has, in the long run, never lost its prevalence over the unreasoning or the impulsive. To this it is due that the political course of the country has been uniform and steady; that we have in all our changes escaped the sudden shocks and oscillations to and fro to which more short-sighted or more passionate nations have been subjected, and that, in a long career of progress, there has been no reversal of, and no attempt or desire to reverse, any step once taken in advance. That which we have witnessed during the late Session has been in the main one more passing phase of an oft-repeated struggle. Calm reason and the impulse of the hour found themselves in conflict; the latter prompted ease and present indulgence, the former counselled exertion and self-denial. The contest has been once more decided in the manner most creditable to the character of the nation and most conducive to the stability and welfare of the Empire.

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